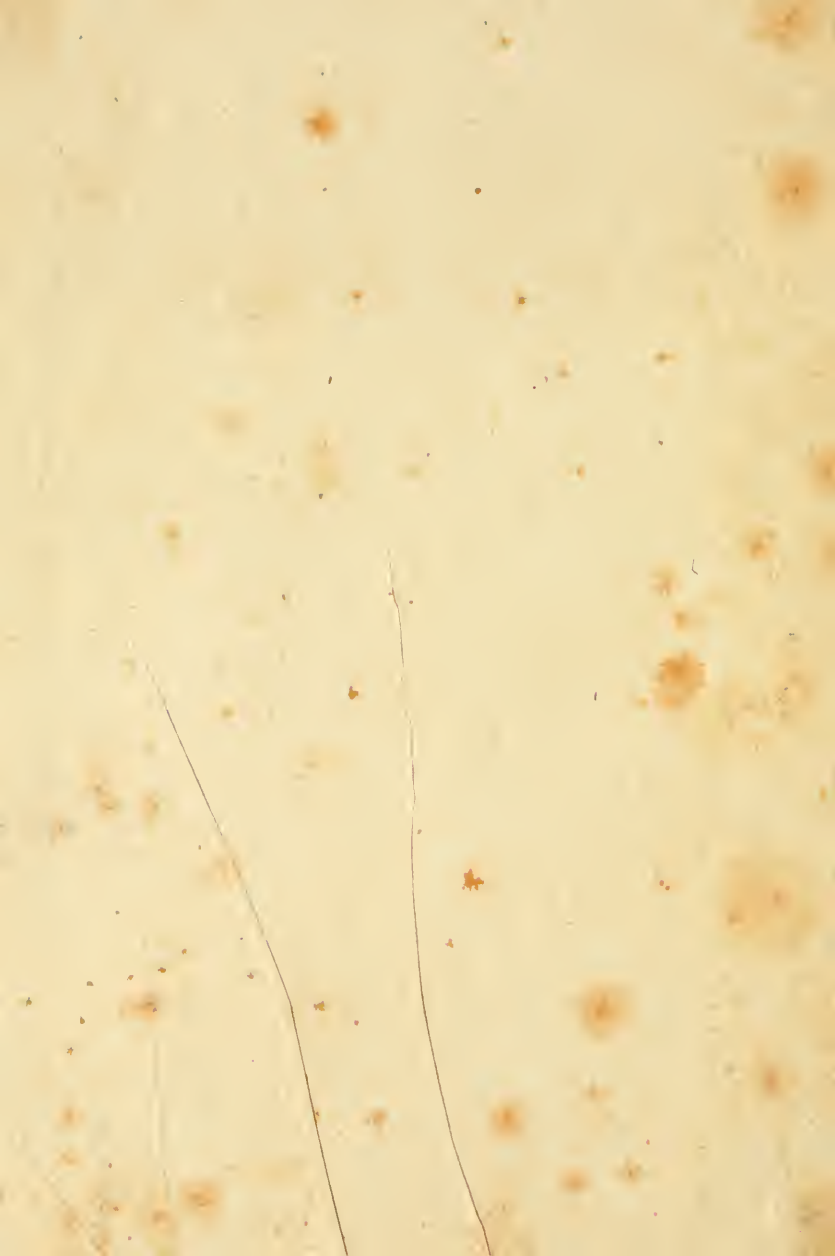


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per Mr.

JOURNAL

OF THE

SENATE,

OF THE

STATE OF INDIANA,

BEING THE

Fifth Session of the General Assembly,

BEGUN AND HELD AT CORYDON,

On Monday the 27th November, 1820.

CORYDON:

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1820-21.

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JOURNAL
OF THE
SENATE,
OF

THE STATE OF INDIANA,

BEGUN, and held at the town of Corydon, in the county of Harrison, on Monday the twenty seventh day of November, in the year of our Lord one thousand eight hundred and twenty ; being the fifth session of the General Assembly of the said State.

On which day, (being the day appointed by his Excellency Jonathan Jennings, Governor of the State of Indiana, by proclamation, issued under authority of the constitution of said state) the following members of the Senate appeared and took their seats, to-wit:

*From the counties of Knox, Sullivan, Vigo Daviess, and Owen—*William Polke.

*From the counties of Franklin and part of Fayette—*William C. Drew.

*From the counties of Warrick, Vanderburg, Posey, Spencer, Perry and part of Crawford—*Elisha Harrison.

see p. 53-R

From the counties of Jefferson, Switzerland, Ripley, and Jennings—William Cotton.

From the counties of Dearborn, and Ripley—John Gray.

And the following members, having been elected since the last session of the General Assembly, now also, appeared, produced their credentials and took their seats, to-wit :

From the counties of Harrison, Crawford and Floyd—James B. Slaughter.

From the counties of Gibson, Posey, Dubois, and part of Perry—Richard Daniel.

From the counties of Washington, Orange, Jackson, Lawrence, and Monroe—James Gregory.

From the county of Clark, and parts of Scott and Floyd counties—Joseph Bartholomew.

From the counties of Wayne, Randolph, and part of Fayette—Patrick Baird.

And his honor Ratliff Boon, lieutenant Governor of the state of Indiana, took his seat as President of the Senate, and thereupon, the several oaths prescribed by law, were administered to the before named recently elected members, by David Craig esq. a justice assigned to keep the peace in and for the county of Harrison.

The Senate then proceeded to the election of a secretary, when upon canvassing the votes given, it appeared that Henry Hurst had for secretary five votes, and that James Morrison had for the same post five votes. The number of votes being equal, by consent of the Senate, the President gave the casting vote, and declared James Morrison duly elected secretary, who was called, and sworn as secretary accordingly.

Henry Batman was chosen Door-Keeper of the Senate, for the present session.

On motion by Mr. Polke,

Ordered, That a committee be appointed to inform the House of Representatives, that the Senate have met formed a quorum, elected James Morrison their secre-

tary and Henry Batman Door-Keeper, and that they are now ready to proceed to legislative business.

Whereupon,

Mr. Polke was appointed that committee.

On motion by Mr. Polke,

The Senate proceeded to the election of an assistant Secretary—when on counting the votes, it appeared that John N. Dunbar, having a majority of all the votes taken, was declared elected assistant Secretary of the Senate, for the present session.

On motion by Mr. Polke,

Ordered, That a committee of Elections be appointed, to whom shall be referred the certificates and credentials of the members elected, since the last session of the General Assembly, with instructions to report thereon,

Whereupon,

Messrs. Polke, Harrison, Cotton, Drew and Gray were appointed that committee.

On motion,

The Senate adjourned until to morrow, morning at 9 o'clock.

And the Senate adjourned.

Tuesday Morning, November 28, 1820.

Senate assembled pursuant to adjournment.

Mr. Polke, from the committee of elections, reported that the said committee had examined the certificates and credentials of Messrs. Baird, Bartholomew, Daniel, Gregory and Slaughter, and find them duly elected and regularly returned as Senators from their respective districts; the said Baird, Bartholomew, Daniel and Gregory, for three years each, and the said Slaughter for one year.

On motion by Mr. Harrison,

Ordered, That the Senate concur in said report.

On motion by Mr. Drew,

The Senate came to the following resolution :

Resolved, That a committee be appointed by the Senate, to act with a similar committee to be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that both Houses of the General Assembly have met, formed a quorum, and are now ready to receive any communications he may be pleased to make them ; and to learn of his Excellency, at what time he will make such communication.

Ordered, That Mr. Drew inform the House of Representatives thereof ; and that the Senate have appointed Messrs. Bartholomew and Drew a committee on their part.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have convened, formed a quorum, elected William Graham Speaker, William W. Wick Chief Clerk, H. P. Thornton Assistant Clerk, and John Moore Door Keeper, and are now ready to proceed to legislative business ; and he withdrew.

A message from the House of Representatives by Mr. Hay, a member :

Mr. President—I am instructed by the House of Representatives to inform the Senate, that a committee has been appointed by them, to act with a similar committee appointed by the Senate, to wait upon his Excellency the Governor, and inform him that a quorum of both Houses of the General Assembly are convened, and are now ready to receive any communications he may be pleased to make them ; and that, on their part, they have appointed Messrs. Hay and Tipton that committee : and then withdrew.

On motion by Mr. Gray,

Ordered, That the "rules and orders for the govern-

ment of and conducting business in the Senate of the state of Indiana," adopted in the year 1818, be observed as the rules of the same until otherwise provided.

Mr. Drew, from the joint committee appointed on the part of the Senate, to wait on his Excellency the Governor, reported that the committee had discharged that duty, and that they had received for answer, that his Excellency is now ready to communicate.

A message from the House of Representatives by Mr. Ferris, a member :

Mr. President—I am instructed by the House of Representatives, to invite the Senate to meet them immediately in the Representative Chamber, to receive the Governor's communication : and then withdrew.

The Senate then rose, retired to the Representative Chamber, when his Excellency delivered the following message to both Houses, to wit :

*Gentlemen of the Senate, and
House of Representatives,*

THE present meeting of the General Assembly at an earlier period than the constitutional, has been required, to afford to the state an opportunity to participate in the pending election of President and Vice President of the United States. An event so important, involving principles so interesting, should not be suffered to transpire without exercising our rights as a member of the Union.

Since the last session, and in conformity to the provisions of an act of the legislature, the commissioners selected to locate the lots of ground, granted to this state, on condition that our future and permanent site for the seat of government, should be thereon located ; were, by proclamation, requested to meet on the 22d day of May last. They met accordingly ; and it should be a source of much public satisfaction, that they discharged their duty with unanimity, and it is believed to the satisfaction of the different sections of the state.

The property thus secured, by timely care and prudent management, will in due time produce ample resources, without resorting to taxation, to meet the expenditures necessary for the erection of all public edifices of state character. This property, if the ultimate proceeds of its value be realized, should be secured from speculation by the time, manner and also by the conditions of its sale. The person or persons, to whom the disposition of the whole or any part thereof may be confided, should be required to make frequent reports of their official proceedings; and should at all times be subject to removal from the trust, when the public interest would require it, without the procrastination attendant upon impeachment or the formal process of a judicial proceeding. Although it is not to be presumed, that expectation is to be disappointed in the exercise of such trust sooner than another, it becomes our duty, notwithstanding, acting as public agents, to secure the interest of the community, by every safeguard which the principles of the constitution and the genius of our government may authorise.

Of the funds appropriated for the purpose of purchasing stock in the Jeffersonville Ohio Canal Company, in behalf of the state, a portion of it has been paid on the whole number of shares for which a subscription was authorised to be made, and the residue remains deposited, subject to the draft of the executive, to the use however for which it was intended. The importance of the object contemplated by that association, interests the commercial enterprise of a great portion of the citizens of the state, and its completion cannot be separated from the reputation of the state, at least so far as it is connected with our exertion in favor of internal improvement. To appropriate a certain portion of the three per cent fund, assigned to making roads and canals within the state, not to exceed one half of its annual amount, until the object be attained, upon the condition that the state of Ohio shall become interested,

would unite public confidence sufficiently to remove in a reasonable time, the impediments presented by the falls of Ohio to the increasing and greatly to be enlarged commerce necessarily to be entrusted to its navigation.

The paper circulating medium of our state presents a subject matter of important consideration. The depreciated situation of that portion of it which has emanated from the non specie paying banks, requires an impartial examination into the causes, as also their situation, to enable us to do justice to the importance of the subject, as well as the interests of all concerned. Those who are not debtors to the Banks, cannot be considered as unjustifiable, when they complain of the depreciation of their paper; but public sentiment has yet to be expressed in relation to those, who are defaulters to the banks, in not meeting the payments required, though not unfrequently they find inducements to injure the credit of the Banks from which, they improperly withhold payment. It cannot be denied, that the disinterested holder of depreciated bank paper, on account of the uncertainty of the rates of exchange, must at all times be subjected to loss; while, the defaulters to the banks may be gainers in proportion to the depreciation of their paper; and this depreciation produced, on account of, and in proportion to, the amount withheld by nonpayment. Every measure, which shall have a tendency to subject the paper medium of the state, to a greater depreciation than at present, unless such measures should be required by other reasons than the amount of their paper in circulation, will tend to the injury of the disinterested holder, and enable the debtors to the banks to discharge those debts, by speculation in the purchase of the paper of the Banks to which they stand indebted. Although most of our banks, from want of foresight, have acted imprudently in issuing paper too freely; yet, from the best information, they have generally been engaged in recalling it from circulation for more than a year past.

To restore the circulating medium to a specie standard, should unite our exertions in every rational and practical measure tending to that object; and although it may be impracticable to accomplish it as soon as would be desirable, without producing considerable sacrifices of property, yet our views should be constantly directed to its accomplishment. To designate a time, within which it shall be made the duty of the banks to resume specie payments is recommended to your consideration, having a reference in prescribing such time, to the consequence of forced payments upon the community, and the corresponding requisite of legal means of collection. Such a measure will enable the banks, as well as legally require them, to force collections, and stimulate to further exertion, such, as may be desirous to continue as bodies corporate, and likewise remove that uncertainty which is entertained in relation to their ultimate solvency, or prove their intentions by the result.

Upon this subject it will be my duty, at an early period, to present to your consideration a report of the situation of the State Bank and branches in a separate Message; and likewise copies of a correspondence had with our non-specie paying Banks.

The situation of the debtors of the United States, and especially those who are actual settlers, will claim a portion of your deliberations. The procrastination of the time of payment of those debts, seems to meet the views of the General Government with reluctance. If it shall meet your approbation to present your wishes in behalf of your constituents, in favor of a measure, which, shall authorise the debtors to the United States to have their monies now paid, transferred to their credit, on such portion of the lands already purchased, as they may select, at one dollar and twenty-five cents per acre; provided the number of acres upon which such transfer be made, be not less than one half of one quarter section, they would have their due weight; and

if ultimately successful, would be calculated to relieve the actual settlers from the forfeitures of their homes, their money and their labor, which without relief must be inevitable.

The embarrassments of a pecuniary character to which we are subjected, may be attributed chiefly to our vast consumption of articles of foreign growth or manufacture, draining the country of the precious metals, and leaving us indebted to the commercial cities. The surplus produce of the state, increasing in quantity and reduced in price, has been greatly deficient in the amount of its proceeds, to meet the demands upon us which have been created by the consumption of foreign objects of merchandize. By the co-operation of these circumstances, we have become subjected to debts, beyond our present ability to discharge ; and our best interests will require, that we resort to a certain and at the same time a constitutional remedy, from which permanent relief will be realized. To retrace these errors however facinating, which national pride or false ambition may have produced ; and directing the future, by a strict scrutiny of the past ; by curtailing our consumption of foreign articles ; by the application of active industry, not less to domestic manufactures of every description, than to the soil ; thereby, saving from the former, while realizing the nett gains of the proceeds of the latter, we may ere long be reinstated in our former independence, and learn by experience that moderate and certain gains afford the safest guarantee to relative wealth, so far as may be essential to the attainment of public and private happiness.

The constitution requires, during your present session, a new apportionment of the representation of the state, to the General Assembly. To accomplish this important object with impartiality to the different counties and sections of the state, will be productive of much public satisfaction.

The ways and means for the ensuing year will ne-

cessarily claim your attention. Since the operation of the State Government, the average annual income arising from taxation, may be estimated at 13,000 dolls. and the annual average expenditure amounts to more than 17,000. This estimate produces an annual deficit, exceeding 4,000 dolls. to meet the expenses of government, without taking into calculation the delays attendant upon the collections of the revenue, produced in part, by the present system of assessment and collection. To meet such deficiency, the recourse has been to loans, and for the future, if the public credit shall be supported, resort must be to additional taxes or to loan as formerly, to meet, not only this deficiency, but an increased expenditure, necessarily to be provided for as a consequence of an increased representation in the General Assembly. If further loans are to be required it may add to the depreciated paper already in circulation, which should be avoided, but if additional taxation, it is submitted to the General Assembly, as being better informed of the wishes and abilities of our constituents, and more competent to decide in relation to the objects to which such taxation shall be directed.

It is not without reluctance, that a revision of the present revenue laws is again recommended to your consideration. To require the assessment of taxes to be made at an earlier period each year, would afford more time for payment and enable collectors with more certainty, and less inconvenience to the people, to meet their payments to the Treasury. During the last year more than five thousand dollars have remained unpaid, which should have been received at the Treasury during the month of December last, or within three months thereafter, while shortly after the close of the last session, there were no funds in the Treasury but the paper of Ohio Banks whose credit was greatly depreciated.

The interchange of laws between this and other states of the Union, requires attention. The greater portion

of the states have presented to this state, copies of their laws ; and request a similar return ; all of which, together with various state papers of the United States, have been deposited in the office of the Secretary for this state subject to the use of the Legislature.

The frequent changes which our laws of a general nature have undergone tend to prevent their provisions from being generally known. Many of our fellow citizens have neither the time nor possess the opportunity, to trace the many alterations which take place in the laws regulating the administration of justice, determining the rights of persons and of property: It is not presumed that the progressive improvement of the human mind, will not require revisions of, and amendatory enactments to our laws ; but experience should clearly dictate the necessity, as well as the extent of, additional legislative provisions before they should be carried into execution.

The public good will no doubt be the ultimate object of all your deliberations, mutually exercised with becoming forbearance towards error of opinion ; and with such confidence, reposed, and a becoming reliance upon the Ruler of the Universe, whose goodness & whose laws are equally perfect, you have the assurance of my entire co-operation.

JONATHAN JENNINGS,

The Senate then returned to their Chamber.

On motion,

Ordered, That a committee of Ways and Means, and also a committee of Enrolled Bills be appointed.

Whereupon,

Messrs. Slaughter and Daniel were appointed a committee of Ways and Means ; and Messrs. Slaughter and Drew a committee of Enrolled Bills.

Ordered, That Mr. Slaughter inform the House of Representatives thereof, and request a similar committee on their part.

On motion,

Ordered, That five hundred copies of the Governor's message be printed for the use of the Senate.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this evening. And the Senate adjourned.

Tuesday Afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The House of Representatives have appointed a joint committee for Enrolled Bills, pursuant to the request of the Senate ; and have, on their part, appointed Messrs. Ross, Powell, Merrill and Sullivan, of Jefferson, that committee : and he withdrew.

On motion by Mr. Drew,

The Senate came to the following resolution :

Resolved, That a committee be appointed to enquire into the expediency of altering the present mode of transacting county business, and that they have leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Drew, Gray and Harrison were appointed that committee.

On motion by Mr. Harrison,

The Senate came to the following resolution :

Resolved, That a committee be appointed on the part of the Senate, to act in conjunction with such committee as may be appointed on the part of the House of Representatives, to enquire into the expediency of revising the existing Statute Laws of the state ; that said committee have leave to report thereon by bill or otherwise ; and that the House of Representatives be informed thereof, and a similar committee on their part be requested.

Ordered, That Mr. Harrison inform the House of Representatives thereof; and that the Senate have appointed Messrs. Harrison, Polke, Drew, Cotton and Daniel a committee on their part.

A message from the House of Representatives by Mr. Tipton, a member:

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have adopted the following resolution, to wit:

Resolved, That a committee be appointed on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to examine into the situation of the office of the Secretary of State; and that they be instructed to examine the books of the Auditor and Treasurer of State; to ascertain what amount of the sums appropriated at different times, as a contingent fund, has been drawn from the Treasury, and for what purpose applied since the last session; that they report to their respective houses: and that they have, on their part, appointed Messrs. Tipton, Clark and Grass that committee: and he withdrew.

On motion,

Ordered, That the Senate concur in the resolution from the House of Representatives above reported; and that Messrs. Harrison, Polke and Drew be the committee on the part of the Senate.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

On motion by Mr. Polke,

Ordered, That a committee be appointed to enquire into the expediency and necessity of providing by law for running the state line between the states of Indiana and Illinois; and that they have liberty to report by bill or otherwise.

Messrs. Polke, Gray and Baird were appointed that committee.

Mr. Gregory asked for and obtained leave to hand

in the petition of Ephraim Dukes, junr. and others, praying for a law to divorce the said Ephraim Dukes, junr. from his wife Martha Dukes, which, together with the accompanying documents were read, and,

On motion,

Ordered, That the same be referred to a select committee, with leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Gregory, Bartholomew and Cotton were appointed that committee.

Mr. Gregory obtained leave to hand in the petition of James Thomson and others, lessees of the eighth township, reserved for the use of a state seminary, praying for relief, which was read, and,

On motion,

Ordered, That the same be referred to a select committee, with leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Gregory, Bartholomew and Cotton were appointed that committee.

Mr. Bartholomew obtained leave to hand in the petition of George White, praying for the confirmation and extension of a ferry privilege from Jeffersonville to the mouth of Bear Grass creek, which was read, and,

On motion,

Ordered, That the same be referred to a select committee, with leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Bartholomew, Baird, Daniel and Gray were appointed that committee.

A message from the House of Representatives by Mr. Zenor, a member :

Mr. President—I am instructed by the House of Representatives, to inform the Senate that the House of Representatives have passed a resolution, entitled “a joint resolution adjourning the Harrison Circuit Court,” in which they desire the concurrence of the Senate; and then withdrew.

The said joint resolution was read the first time, and,
On motion,

So much of the rules of the Senate as require the reading of a bill on three several days, was dispensed with, and,

Ordered, That the said joint resolution be read a second and third time now.

Whereupon,

The same was read a second and third time, and passed.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Ferris, a member:

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have passed a resolution, entitled a joint resolution providing for the election of Electors of President and Vice President of the United States, in which they request the concurrence of the Senate; and then he withdrew.

The said joint resolution was then read the first time, and,

On motion,

Ordered, That so much of the rules of the Senate as requires the reading of a bill on three several days be dispensed with, and that the said joint resolution be read a second and third time now.

Whereupon,

The same was read a second and third time and passed.

Ordered, That Mr. Baird inform the House of Representatives thereof.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the Senate adjourned.

Wednesday Morning, Nov. 29, 1829.

The Senate assembled pursuant to adjournment.

On motion,

Ordered, That the Senate resolve itself into committee of the whole on the Governor's message, and that the same be made the order of the day for this day.

On motion,

The Senate, according to order, resolved itself into committee of the whole on the Governor's message, Mr. Polke in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and Mr. Polke reported, that the committee had, according to order, had under consideration the Governor's message, and had adopted the following resolutions, to which they desired the concurrence of the Senate, to wit:

Resolved, That so much of the Governor's message as relates to the increase of the representation, be referred to a select committee, with leave to report by bill or otherwise.

Resolved, That so much thereof as relates to the circulating medium be referred to a select committee, with leave to report by bill or otherwise.

Resolved, That so much thereof as relates to the permanent seat of Government be referred to a select committee, with leave to report by bill or otherwise.

Resolved, That so much thereof as relates to the debtors to the United States, growing out of the sales of lands, be referred to a select committee, with leave to report by bill or otherwise.

Resolved, That so much thereof as relates to the Jeffersonville Ohio Canal Company, be referred to a select committee, with leave to report by bill or otherwise.

Resolved, That so much thereof as relates to the interchange of laws between this and other states of the Union, and so much thereof as relates to the copies of

the laws of other states, and the state papers of the United States, as are deposited in the office of the Secretary of State, for the use of the Legislature, be referred to a select committee, with leave to report thereon by bill or otherwise.

Resolved, That so much thereof as relates to the pecuniary situation of the citizens of our state, be referred to a select committee, with leave to report by bill or otherwise.

On motion,

Ordered, That the Senate concur in the several resolutions on the Governor's message, adopted in committee of the whole.

Mr. Gregory gave notice that he would, on Friday next, ask for leave to introduce a bill, amendatory to an act, entitled an act fixing the seat of justice in all new counties hereafter to be laid off.

On motion,

The Senate adjourned until this afternoon, 2 o'clock.

Wednesday Afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaubgter, from the joint committee for enrolled bills, reported that the committee had compared the following enrolled with the engrossed joint resolutions, to wit:

A joint resolution adjourning the Harrison Circuit Court.

A joint resolution providing by law for the election of Electors of President and Vice President of the United States; and find them truly enrolled.

A message from the House of Representatives by Mr. Ross, a member:

Mr. President—The Speaker of the House of Representatives having signed the following enrolled joint

resolutions, I am instructed to lay the same before the Senate for the signature of their President, viz :

A joint resolution providing for the election of Electors of President and Vice President of the United States, and

A joint resolution adjourning the Harrison Circuit Court—and he withdrew.

Ordered. That Messrs. Polke, Bartholomew, Cotton, Drew, Daniel, Gray, Harrison, Gregory, Baird and Slaughter be a committee on so much of the Governor's message as relates to the increase of representation.

That messrs. Harrison, Drew, Daniel, and Cotton be a committee on so much thereof as relates to the circulating medium.

That messrs. Daniel, Drew and Gregory be a committee on so much thereof as relates to the permanent seat of government.

That messrs. Daniel, Baird, and Slaughter be a committee on so much thereof as relates to the debtors to the United States, growing out of the sales of lands."

That messrs. Cotton, Bartholomew and Polke be a committee on so much thereof as relates to the Jeffersonville Ohio Canal Company.

That messrs. Drew, Baird, Harrison, and Slaughter be a committee on so much thereof as relates to the interchange of laws with other states, and the state papers of the United States, and

That messrs. Drew, Gray, Daniel and Polke be a committee on so much thereof as relates to the pecuniary situation of the citizens of our state."

On motion by Mr. Harrison,

The Senate came to the following resolution, viz :

Resolved, That a committee be appointed to enquire into the expediency of a law amendatory to the several acts now in force subjecting real and personal property, to execution.

Wherenpon,
Messrs. Harrison, Drew, Slaughter, and Polke,
were appointed that committee.

Mr. Slaughter from the joint committee for enrolled bills, reported that the committee did on this day present to his Excellency the Governor, for his approval and signature, the following joint resolutions, viz :

A joint resolution adjourning the Harrison Circuit Court.

A joint resolution providing for the election of Electors of President and vice-President of the U. States.

On motion,

The Senate came to the following resolution, viz :

Resolved, That each member of the present General Assembly, when convened for the purpose of electing three Electors of President and vice-President of the United States, do express in words at full length, the names of the persons voted for, and that each member vote for three Electors on the same ticket, and that the House of Representatives be requested to adopt a similar resolution.

Ordered, That Mr. Drew inform the House of Representatives thereof.

The following communication was received by the President from the Secretary of State.

To the honorable the President of the Senate of the State of Indiana.

November 29, 1820.

In conformity to an existing law, the secretary of state submits the following report :

That for the public printing, propositions were made by messrs. Brandon and Co. and by messrs. Nelson & Cox, which propositions were received within the time prescribed by law ; neither of which were accepted or acted on, owing to a want of unanimity in the committee, in selecting from the two propositions. The business was therefore suspended, under an expectation

that perhaps the contract might be finally adjusted, by a division of the public printing, by consent or agreement of the applicants. Other communications were afterwards received, relative to the aforesaid proposals, the originals of which are transmitted to the House of Representatives.

The Secretary of State farther represents that some three or four weeks subsequent to the first of October, two of your committee, the Secretary of State dissenting agreed to accept the proposals of messrs. Brandon and Co. for the whole of the printing of the present General Assembly.

The Secretary of State further reports, that your committee have contracted with mr. Armstrong Brandon for stationary at the following prices, to-wit :

Letter or post paper, at \$ 6 00 per ream.

Writing cap do. No. 1 at 6 00 do.

Do. do. 2 at 5 50 do.

Do. do. 3 at 4 50 do.

Other articles of stationary at current retailing prices. With William Daggs they have contracted for fuel at sixty cents per day.

Receive the assurances of the high consideration and respect, with which I have the honor to be,

Your obedient servant.

R. A. NEW.

On motion,

Ordered, That the report lie on the table.

The following communication was received from the Treasurer of State, by the President.

TREASURY DEPARTMENT. }
CORYDON, Nov. 29, 1820. }

His Excellency,

Ratliff Boon,

SIR—I herewith transmit you my annual report for the year 1820.

Your obedient servant.

D. C. LANE, *Treasurer.*

The Treasurer in obedience to the act of the General Assembly, entitled "an act concerning the Auditor of public accounts and Treasurer of state, submits the following report :

That there was remaining in the hands of the Treasurer on the 4th December 1819, the sum of - - - - \$ 57 78 1-2

That from the 4th of December 1819 to the 27th of November, 1820, there has been received on loan the sum of - 4,000 00

Within the period above mentioned there has been paid into the Treasury, by sundry sheriffs for taxes due the state for the year 1819, and also for arrearages due for prior years, the sum of 14,276 92

From the sheriff of Knox county for taxes becoming due in the year 1820 the sum of - - - - 1,174 31

From Joel D. Thomasson collector &c the sum of - - - - 130 00

Since the commencement of the state government to this date, there has been received from the superintendant of Rock and Reces' licks, the sum of - 281 00

Making a sum total of - - - 19,920 01 1-2

Within the periods above mentioned, there has been paid at the Treasury, in discharge of the contingent expenses of government - - - - 773 80

In the payment of the officers of the Executive - - - - 2,220 00

In payment of the officers of the Judiciary - - - - 4,923 65

In payment of the members of the General Assembly and incidental expenses attendant thereon, the sum of 7,918 33

In payment of the militia. the sum of 386 17

In payment for wolves destroyed the sum of	496 00
In payment of the interest on the loan	3,105 00
Making the sum total of	19,773 05
Leaving a balance in the hands of the Treasurer on this day of	146 96 1-2
	19 920 01 1-2

There has been paid by the Governor of the state of Indiana, to the Treasurer of the Jeffersonville Ohio Canal Company the sum of five thousand dollars, as per triplicate receipts on file in my office.

All of which is respectfully submitted.

DANIEL C. LANE, Treasurer.

A message from the Governor by Mr. Brandon, his private secretary.

Mr. President—I am instructed by his Excellency the Governor to lay before the Senate a communication in writing ; and he withdrew—which was read, and is as follows, viz :

Corydon, November 29, 1820.

Herewith is submitted to the General Assembly the documents referred to in my message of the 28th inst.

The paper marked A is a copy of a communication to the state bank, and the reply thereto ; and that marked B is a copy of a circular addressed to the non specie paying banks with their answers, Brookville excepted, as no reply has been received from the directors of that branch bank.

In addition, it will be recollected, that in December 1821, and the next succeeding months by contract with the state Bank, on the part of the state, twenty thousand dollars of the state debt will become due and payable. The public faith should be secured from violation, while there remain any measures calculated to

secure it, within the control of the General Assembly.

JONATHAN JENNINGS.

On motion,

Ordered, That the above communication, with the accompanying documents be referred to a select committee, and that they have leave to report thereon.

Whereupon,

Messrs. Drew, Daniel, Harrison and Cotton were appointed that committee.

On motion

Ordered, That one hundred and fifty copies of the report of the State bank and branches be published, for the use of the Senate.

On motion,

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock. And the Senate adjourned.

Thursday morning 9 o'clock, Nov. 30, 1820.

The Senate assembled pursuant to adjournment.

Mr. Bartholomew, chairman of the committee to whom was referred the petition of George White praying for the confirmation and extension of a ferry privilege, reported by bill, which was read, and on motion,

Ordered, That the same be read a second time to-morrow.

Mr. Gregory chairman of the committee to whom was referred the petition of Ephraim Dukes junr. praying to be divorced from his wife, Martha Dukes, reported by bill, which was read, and,

On motion,

Ordered, That the same be read a second time on Monday next.

The following communication was received by the President, from the Auditor of Public Accounts.

AUDITOR'S OFFICE, }

CORYDON, November, 1820. }

To the Honorable, the President of the Senate,

SIR—In obedience to an act of the General Assembly, entitled “an act concerning the Auditor of Public Accounts and Treasurer of State,” I herewith transmit you my Annual Report.

I have the honor to be,

very respectfully, yours, &c.

WILLIAM H. LILLY,

Auditor of Public Acts.

The auditor of the treasury, in obedience to an act of the General Assembly, entitled “an act concerning the Auditor of Public Accounts and Treasurer of State,” submits the following Report, viz :

There was a deficiency of monies to meet the claims audited up to the 4th December, 1819; as per former report, of \$1,009 85 1-4

Since that period there has been audited in liquidation of the accounts of the executive officers, the sum of - - - 2,320 00

In liquidation of the judiciary officers, the sum of - - - 4,923 50

In liquidation of the accounts of the last General Assembly and incidental expenses attendant thereon, the sum of 7,799 28

In liquidation of the militia expenses, the sum of - - - 286 17

In liquidation of wolf scalps, the sum of 498 00

In liquidation of the contingent expenses of government, - - - 773 89

In liquidation of interest arising on public loans from the state bank, - - - 3,105 00

Amount Total, \$ 20,715 69 1-4

There has been received from sundry

sheriffs, from the 5th of December 1819. to the 27th Nov. 1820, inclusive, the sum of	\$15,593 23
From the state bank, on loan, the sum of	4,000 00
From Elisha Denny, superintendent of Rock Lick Sec. the sum of	221 00
From Alexander Little, superintendent of Rece's Lick Section, the sum of	60 00
From Joel D. Thomasson, collector of a public debt due by sundry citizens of Harrison county, the sum of	180 00
Total Amount,	\$20,004 23
Leaving a deficiency, as yet, to meet the claims audited up to the 27th instant, of	714 46 1-4
	\$20,715 69 1-4
Amount due and unpaid from sundry counties for the years 1817, 1818 and 1819,	\$3,948 54
From duplicate returns, the taxes of 1820, exclusive of the sheriffs commissions for collecting, amount to the sum of	9 484 16

Amount Total, **\$13 432 70**

And from the counties of Crawford, Posey, Washington, Sullivan, Pike, Jefferson, Monroe, Martin and Scott, no duplicates having been received for 1820, no estimate can therefore be made of revenue that may be derived from thence.

No correct estimate can be made of the probable collection of debts due from sundry counties, letters, in several instances, have been addressed to the proper offices, entrusted with the collections, to which no answers have been received; and from the circumstance of

there having been special collectors of taxes appointed in many counties, it is believed more failures will accrue than ordinarily.

The judgment of the Harrison Circuit Court, against sundry citizens of Harrison county, for one thousand dollars, has been reversed in the Supreme Court; one hundred and thirty dollars of which has, however, been received, which is reported herewith. It is respectfully submitted whether (as the original bond executed by the said citizens is found) a suit at common law should not be again instituted.

There will be, in addition to the demands already due by the state, the sum of seventeen hundred and forty dollars due the 1st January, 1821, for interest arising on loans.

There has been filed in this office, by his Excellency the Governor, a duplicate receipt for ten thousand dollars, received from the United States, being a part of the three per cent fund arising from the sale of public lands lying within this state; also, a duplicate receipt from the treasurer of the Jeffersonville Ohio Canal Company, for five thousand dollars, being the amount paid on the stock subscribed for on the part of the state.

Respectfully submitted,

WILLIAM H. LILLY,

Auditor of Public Acts.

On motion,

The Senate adopted the following resolution, viz:

Resolved, That a committee on the part of the Senate be appointed, to act with a similar committee to be appointed on the part of the House of Representatives, to call on the Cashier of the Branch Bank at Corydon for all the information he is in possession of, relative to the organization of the said Branch Bank, and that he state particularly, if he can, what three counties were specially embraced in locating the said Bank, and how much stock was subscribed for by persons in said 3 coun-

ties, and the names of the persons by whom the same was subscribed, and how much, in said three counties, have actually been paid in, in specie, and the names of the persons who paid in the same—also, what was the amount of stock paid in Bank, in specie, when the said Branch Bank went into operation; and what is the amount of specie now in the vaults of said Bank, and by whom the same is deposited, and for what purpose; whether as a special deposit or otherwise, and the amount of debts due said Bank, sperate and desperate, and the names of debtors, and the amount of their responsibilities, both as drawers and endorsers.

And be it further resolved, That the said committee procure a report of the amount of paper paid out by said institution—and that if the stock or any part thereof has been transferred by the original subscribers—learn to whom such stock has been transferred, and by whom, and also to make any other enquiry which the said committee may deem necessary.

Ordered, That Mr. Slaughter inform the House of Representatives thereof; and that the Senate have, on their part, appointed Messrs. Slaughter, Daniel, Drew and Harrison that committee.

On motion,

The Senate adjourned until 2 o'clock this afternoon.

Thursday Afternoon, 2 o'clock.

The Senate assembled pursuant to adjournment.

On motion,

The Senate adopted the following resolution :

Resolved, That a committee be appointed to enquire into the expediency of a law, amendatory to an act, entitled an act regulating the militia of the state, approved January 28. 1820.

And be it further resolved, That said committee enquire into the expediency of changing, altering, or a-

mending the rules and regulations for the field exercise and manœuvres of infantry.

And be it further resolved. That said committee enquire into the expediency of a law, causing an additional number of copies of the present militia law, together with such amendments as may be adopted, to be printed and distributed for the use of the officers of the militia of this state.

Whereupon,

Messrs. Harrison, Bartholomew and Gray were appointed that committee.

On motion,

Ordered. That a teller be now appointed on the part of the Senate, to receive the votes to be given for Electors of President and Vice President of the United States—Whereupon, Mr. Harrison was appointed teller on the part of the Senate.

Ordered. That the House of Representatives be informed thereof.

A message from the House of Representatives by Mr. Sullivan, of Knox, a member :

Mr. President—I am instructed by the House of Representatives to inform the Senate, that they have passed the following resolution, to which they require the concurrence of the Senate, to wit :

Resolved. That, in the election of Electors of President and Vice President of the United States, this day, at 2 o'clock, there shall be only one Elector voted for at the same time, and that the Senate be requested to pass a similar resolution on their part : and he withdrew.

On motion,

Resolved. That the Senate concur in the above resolution from the House of Representatives.

Ordered. That the House of Representatives be informed thereof.

A message from the House of Representatives, by Mr. Hay, a member :

Mr. President—I am instructed by the House of

Representatives, to inform the Senate, that the House of Representatives are now ready to receive them in the Representatives' Chamber, for the purpose of proceeding to the election of three Electors of President and Vice President of the United States, and that they have appointed Mr. Hay as teller on their part : and he withdrew.

The Senate retired to the Representative Chamber ; took their seats on the right of the Speaker's chair—when both houses proceeded to the said election, which having been done, the Senate returned to their Chamber.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock.

Friday Morning, December 1, 1820.

Senate assembled pursuant to adjournment.

His honor Ratliff Boon, being absent through indisposition, the Senate proceeded to elect a President pro tempore, to act as such in the absence of the President during the present session, and on counting the votes, it appeared that William Polke, was duly elected president pro. tem. of the Senate during the present session ; who was accordingly conducted to the chair and took his seat as such.

On motion, by Mr. Drew,

The Senate adopted the following resolution :

Resolved, That a committee be appointed to enquire into the expediency of subdividing the counties of Delaware and Wabash, into new counties of a convenient size, and also to enquire into the necessity of organising one or more counties, within the limits of the said counties of Delaware and Wabash, giving them both civil and criminal jurisdiction, and that they have leave to report by bill or otherwise.

Whereupon,

Messrs. Drew, Gregory and Daniel were appointed that committee.

The bill for the relief of George White on the subject of a ferry was read a second time to day, and

On motion.

Ordered, That the same be referred to a committee of the whole house and made the order of the day for to morrow.

A message from his Excellency the Governor, by Mr. Brandon his private secretary.

Mr. President—I am directed by his Excellency the Governor to lay before the Senate a communication in writing; which was read, and is as follows viz :

To the Senate.

The document presented with this communication, represents complaints existing on account of the supposed inattention in the discharge of the duty of the office of the Adjutant General, and the officer entrusted therewith, is desirous that an examination should take place, by the representatives of the people. In the discharge of public trusts it is due to those charged with responsibility to examine into their official conduct, when complaints are made, and to determine whether they are worthy of censure : and it is equally due to the public welfare that neglect of duty whether required or not, should be investigated. By reference to the dates when the returns have been received, of the elections of militia officers, and a comparison with the dates of the applications from the adjutant general's office to the secretary of state for commissions, as well as the record of the dates when such commissions were executed, will afford ample evidence with some explanations, in reference to the alledged charges.

The connexion between the office of adjutant general and that of the secretary of state, is inseparable in rela-

tion to the commissions of a military character, which are required.

The punctuality and attention with which the duties of the adjutant general's office have been discharged, so far as has necessarily come within my observation, compels me to conclude that upon examination, the causes of complaint will, if located, be found to have had their origin in the office of the secretary of state.— Within my own knowledge, instances of gross neglect and direct carelessness have transpired, and whatever may have appeared from a slight examination of his office, from November 1818 to the month of September 1819 there was no regular entry made upon his record book, nor from Nov. 1819 the date to which the secretary had progressed with his record, when a committee of the General Assembly of the last session examined his office, there was not an entry on that record on the first of August last. An examination is recommended into the complaints and charges alluded to on the part of the General Assembly.

JONATHAN JENNINGS.

December 1, 1820.

On motion of Mr. Harrison,

Ordered, That the above communication and accompanying documents, be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Harrison, Bartholomew, and Slaughter were appointed that committee.

A message from the House of Representatives by Mr. Sullivan of Knox, a member.

Mr. President—I am authorised to inform the Senate, that the House of Representatives have refused to confirm the contract entered into by the secretary of state, secretary of the Treasury and Auditor of public accounts, on the part of the state, with Brandon and Co. relative to the public printing, and have appointed

messrs. Sullivan of Knox. Ferris and Clark a committee on their part, to contract with one or more persons, to print the acts and journals of the present General Assembly, and to request the Senate to appoint a similar committee on their part, to act with the committee on the part of the House of Representatives, and he withdrew.

The following written communication was handed in to the President of the Senate.

CORYDON, Dec. 1, 1820.

To the honorable the President of the Senate.

We the undersigned, two of the committee entrusted to contract for the public printing, did receive propositions for the performance of the same from messrs. Cox and Nelson, also, from Brandon and Co. which propositions were on or about the first day of October last unsealed in the presence of the whole committee. There was a requisition for money in advance in messrs. Cox and Nelson's proposals, and an additional charge in the proposals of Brandon & Co. for figured work. It was then without dissention agreed that the adoption of either proposition should be suspended for a time, and that a correspondence with each of the Editors in explanation of their respective propositions should be had.

There was this additional reason which prompted a majority of the committee not to close the contract on the day the law would seem to require it. It was believed beneficial to the state to divide the contract between the two only applicants. At a subsequent meeting of the committee it was unanimously thought surpassing the pale of our authority to divide the contract, especially without the leave of the applicants, and no such leave being obtained the only question, with the committee, to determine was, who should have the contract from the propositions offered. The Auditor was first required to give his vote, which after assigning for reason, that there was little or no difference in the proposals taken

altogether, and in point of local advantages, adjudging in favor of Brandon & Co. voted accordingly. The Secretary of State being next requested to make a selection, without assigning a reason signified his wish by voting for Cox & Nelson. The Treasurer agreeing in opinion with the Auditor, the proposals of Brandon and Co. were accordingly selected.

We deemed it our duty in a short communication to give the legislature our reasons for the contract made. The committee would have been much gratified to be released from the duty of contracting for the public printing; but it having been assigned them by the last General Assembly they proceeded to the discharge of the trust reposed, as they believed most conducive to the general interest of the state.

We have the honor to be,

Very respectfully,

Your's

WM. H. LILEY,

Aud. Pub. Acts.

DANIEL C. LANE,

Treasurer.

On motion by Mr. Slaughter,

The Senate adopted the following resolution:

Resolved, That the House of Representatives be requested to furnish the Senate with the proposals, made by different Editors, and the contract made with Brandon & Co. for the public printing of the General Assembly:

The same having been received.

On motion of Mr. Harrison,

The Senate resolved itself into a committee of the whole on the reports of the Secretary of state, Auditor of public accounts, and Treasurer, on the subject of the contract, made by them with Brandon & Co. for the public printing of the present session of the General Assembly,

Mr. Baird in the chair,

And after some time spent therein,

Mr. President resumed the chair,

And Mr. Baird reported that the committee had according to order, had under consideration, the reports and documents ; had made some progress therein, but not having had time to go through with the same, the committee had instructed him to ask leave to sit again.

Whereupon,

Leave was granted.

On motion by Mr. Harrison,

Ordered, That the committee of the whole be discharged from the further consideration of the said report.

Mr. Harrison chairman of the committee appointed to enquire into the expediency of revising the statute laws of this state, reported as follows :

“ Your committee are unanimously of opinion that the statute laws should be revised, during the ensuing recess of the present General Assembly, by legal characters competent to the task. Your committee will not attempt to point out any particular mode of revision, nor to name such persons as they may deem most competent ; but respectfully suggest, the propriety of appointing a committee to bring in a bill for the accomplishment of the object.”

On motion,

Ordered, That the Senate concur in the report.

Whereupon,

Messrs Harrison. Drew, Daniel and Cotton, were appointed that committee.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Friday Afternoon, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Slaughter moved to concur in the resolution from the House of Representatives, refusing to confirm the contract entered into by the Secretary of state, Secretary of the Treasury and Auditor of Public Accounts with Brandon and Co. relative to the public printing, and,

On the question being put " will the Senate concur in the resolution ?

It was decided in the negative.

Ordered, That the House of Representatives be informed thereof.

On motion by Mr. Drew,

The Senate adopted the following resolution.

Resolved. That a committee be appointed on the part of the senate to act with a similar committee to be appointed on the part of the house of representatives to enquire into the contract made by the Secretary of state, Auditor of state and Treasurer of state, with Brandon & Co for the public printing, and to learn when and on what terms said contract was entered into, and that they report the result of their enquiries to their respective houses.

Ordered, That Mr. Drew inform the House of Representatives thereof; and that the Senate have appointed Messrs. Drew, Slaughter, Harrison and Cotton a committee on their part.

Mr. Gregory, according to previous notice obtained leave to introduce, " a bill supplementary to an act entitled an act supplementary to an act fixing the seat of of justice in all new counties hereafter to be laid off; which was read, and

On motion,

Ordered, That the same be read a second time on Tuesday next.

On motion

Ordered, That the Senate adjourn until to morrow morning, 9 o'clock.

And the Senate adjourned.

Saturday Morning, December 2, 1820.

The Senate assembled pursuant to adjournment.

His Honor, Ratliff Boone, who was absent on yesterday, appeared this morning and took his seat as President of the Senate.

On motion by Mr. Harrison,

The Senate adopted the following resolution :

Resolved by the Senate, the House of Representatives concurring therein, That they will meet the House of Representatives, in the Representative Chamber, this day, at 11 o'clock, A. M. for the purpose of electing one Senator to represent this state in the Senate of the United States for six years from and after the 4th day of March next.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

The Senate, according to order, resolved itself into committee of the whole on the bill for the relief of Geo. White, on the subject of a ferry, Mr. Slaughter in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and Mr. Slaughter reported, that the committee had, according to order, had under consideration the said bill, and had made several amendments thereto, to which they desired the concurrence of the Senate—and,

On motion by Mr. Bartholomew,

The Senate concurred in the amendments made to the said bill in committee of the whole.

On motion,

Ordered, That the same be engrossed for a third reading on Monday next.

A message from the House of Representatives by Mr. Thornton, their assistant clerk :

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have adopted the following resolu-

tion, to which they desire the concurrence of the Senate.

Resolved, That the joint committee heretofore appointed to contract for the public printing, be directed to enquire into the practicability of having the journals of both Houses of the General Assembly published from day to day, or as soon thereafter as possible : and he withdrew.

On motion,

Ordered, That said resolution lie on the table.

On motion,

Senate adjourned until Monday morning, 9 o'clock.

Monday Morning, December 4, 1820.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Sullivan, of Knox, a member :

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that they have passed an engrossed bill, entitled an act to authorise the associate judge of Martin county to appoint a clerk in vacation; to which they desire the concurrence of the Senate : and he withdrew.

The said bill was read the first time, and,

On motion,

Ordered, That so much of the rules of the Senate as require the reading of a bill on three several days, be dispensed with, and that the said bill be read a second and third time now.

Whereupon,

The said bill was read a second and third time, and passed, with an amendment.

Ordered, That Mr. Polke inform the House of Representatives thereof; and that they be requested to concur in said amendment.

A message from the Governor by Mr. Brandon, his private secretary.

Mr. President—I am directed by his Excellency the Governor, to lay before the Senate a communication in writing: and he withdrew.

Which communication was read, and is as follows, viz.

To the Senate.

Herewith I present you a copy of the reply of the Brookville Branch Bank, to my letter of the 2d Sept.

Respectfully, yours, &c.

JONATHAN JENNINGS.

On motion,

Ordered, That the said communication and the accompanying document be referred to the committee on banks; and that the same be printed.

Mr. Harrison obtained leave to introduce a joint resolution of the Senate and House of Representatives on the subject of voting, which was read, and,

On motion,

Ordered, That the same be read a second time to-morrow.

On motion by Mr. Harrison,

The Senate adopted the following resolution:

Resolved. That the committee of Ways and Means be instructed to contract with some person or persons for the erection of a suitable and convenient seat in the Senate chamber, for the accommodation of the President of the Senate; and that the expense of the same be paid out of any unappropriated monies in the treasury, upon the warrant of the Auditor as in other cases.

Mr. Baird gave notice, that he would, on to-morrow, or some subsequent day of this session, ask leave to introduce a bill establishing a permanent seat of Justice for the county of Wayne.

The bill for the relief of George White, on the subject of a ferry, was read a third time to-day, and on the question being put, shall this bill pass? it was decided in the affirmative.

On motion,

Ordered, That the title of said bill be, an act for the relief of George White, on the subject of a ferry.

Ordered, That the *House of Representatives* be informed thereof by Mr. Bartholomew, and their concurrence requested thereto.

The bill dissolving the bands of matrimony between Ephraim Dukes, junr. and his wife, Martha Dukes, was read a second time to day, and, on motion,

Ordered, That the same be referred to a committee of the whole, and made the order of the day for to-morrow.

Mr. Gregory gave notice that he would, on Wednesday next, ask leave to introduce a bill to prevent the circulation of unchartered bank notes in this state.

A message from the *House of Representatives* by Mr. Sullivan, of Knox, a member :

Mr. President—I am instructed by the *House of Representatives*, to inform the Senate, that the *House of Representatives* have concurred in the amendment made by the Senate, to the engrossed bill from the *House of Representatives*, entitled an act authorising the associate judges of Martin county to appoint a clerk in vacation ; and he withdrew.

A message from the *House of Representatives* by Mr. Milroy, a member :

Mr. President—I am instructed to inform the Senate, that the *House of Representatives* have adopted the following resolution, viz :

Resolved. That the Senate be requested to meet the *House of Representatives* in the Representative Chamber, at 2 o'clock, P. M. on Wednesday next, for the purpose of electing a Senator to represent this state in Senate of the United States, in room of the Hon. James Noble, whose term of service expires on the 4th of March next ; and also to elect a Secretary of State in the room of Robert A. New, Esq. whose term of service shortly expires ; and that the Senate be informed of the adoption of this resolution : and he withdrew.

Whereupon,

On motion by Mr. Harrison,

The Senate ordered the said resolution to lie on the table.

A message from the Governor by Mr. Brandon, his private secretary :

Mr. President—I am directed by his Excellency the Governor, to lay before them a communication in writing; and he withdrew.

Which communication was read, and is as follows, viz:

CORYDON, December 4, 1820.

To the Senate.

It will be recollected, that during the last session of the General Assembly, copies of a correspondence between the acting Governor of Kentucky and myself, were submitted to its consideration, relating to a demand upon his Excellency for certain fugitives from the justice of this state.

At the close of the last session, the demand was renewed, but the delivery of the fugitives was ultimately refused, notwithstanding the assurances previously given.

Copies of the correspondence are now submitted.

JONATHAN JENNINGS.

On motion by Mr. Harrison,

Ordered, That the said communication with the accompanying documents, be referred to a select committee, with leave to report thereon.

Whereupon,

Messrs. Harrison, Drew, Daniel and Polke were appointed that committee.

On motion, by Mr. Daniel,

The Senate adopted the following resolution :

Whereas the present state and condition of the state bank and its branches, and the bank at Madison, is a source of painful disquietude and uncertainty to the cit-

izens of this state, growing out of a supposition of the want of solvency, from the fact of their refusal to pay specie for their notes.

And whereas, it is the duty of this legislature, as the representatives, to make the necessary inquiry into matters of so great and momentous public concernment, in order that the people may know the real situation of those institutions : and whereas it is impossible that this legislature can make such enquiries without the necessary evidence, therefore,

Be it resolved by the Senate, the House of Representatives concurring therein. That the Governor be requested to call on the state bank at Vincennes, to report to him the real situation of said bank ; how much stock has been subscribed for, by whom, how much has been paid in, and by whom, how much specie, and how much paper on hand, and of the paper, upon what banks, and how much upon the respective banks : the debts due the said banks, and by whom, and when due ; the quantity of paper in circulation of said bank, and if there should be any deposits, enquire to what amount and of what nature, whether general or special, and if any of the stock of said institution has been transferred, by whom and to whom such transfer has been made : and further, that the Governor obtain the like report of the respective branches, from the state bank, in separate reports ; and that the like information from the Madison bank, and through said bank, the situation of the bank at Lawrenceburgh.

And be it further resolved, That a committee be appointed on the part of this house, to act with a similar committee, which may be appointed on the part of the House of Representatives to inform the Governor thereof.

Ordered, That the House of Representatives be informed thereof ; and that they have appointed Messrs. Daniel and Drew a committee on their part.

On motion,

The Senate adjourned until 3 o'clock this afternoon.

Monday Afternoon, December 4.

Senate assembled pursuant to adjournment.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock.

Tuesday morning 9 o'clock, Dec. 5, 1820.

The Senate assembled pursuant to adjournment.

Agreeably to notice Mr. Baird asked & obtained leave to introduce "a bill establishing the permanent seat of justice for the county of Wayne, which was read, and

On motion,

Ordered, That the said bill be read a second time to-morrow.

Mr. Gregory, agreeably to previous notice asked & obtained leave to introduce a bill for the relief of James Thompson and others ; which was read, and

On motion,

Ordered, That the same be read a second time to-morrow.

A message from the House of Representatives by Mr. Hay, a member :-

Mr. President—I am instructed to inform the Senate that the House of Representatives have passed an engrossed joint resolution, in which they request the concurrence of the Senate : and he withdrew.

The said joint resolution was read the first time ; and,

On motion,

Ordered, That so much of the rules of the Senate, as require the reading of a bill on three several days, be dispensed with, and that the same be read a second

and a third time now ; and on the question's being put, shall this joint resolution be adopted ?

It was decided in the affirmative.

Ordered, That the secretary inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Sullivan of Knox, a member

Mr. President—I am instructed to inform the Senate, that the House of Representatives have appointed Messrs, Sullivan of Knox, Ross and Robb to draft & report any amendment that may be necessary, to the joint rules, for the regulation of business, between the two houses of the General Assembly, to act with a similar committee to be appointed on the part of the Senate, and request a similar committee to be appointed on the part of the Senate ; and he withdrew.

On motion,

The Senate concurred in the last mentioned resolution.

Ordered, That the secretary inform the House of Representatives thereof ; and that the Senate have appointed Messrs. Drew, Slaughter and Daniel a committee on their part.

The bill for divorcing Ephraim Dukes junr. from his wife Martha Dukes, was according to order, taken up in a committee of the whole,

Mr. Drew in the chair,

And after some time spent therein,

The President resumed the chair ;

And Mr. Drew reported that the committee had, according to order, had under consideration the said bill ; and had made an amendment thereto, to which he desired the concurrence of the Senate—and on the question's being put,

“ Will the Senate concur in said amendment ? ”

It was decided in the affirmative.

On motion,

Ordered, That the said bill be engrossed for a third reading on to morrow.

The joint resolution of the Senate and House of Representatives on the subject of voting, was according to order read a second time to day; and

On motion,

Ordered, That the same be referred to a committee of the whole and made the order of the day for to-morrow.

Mr. Cotton asked and obtained leave to present the petition of John E. Siebenthal, colonel of the 14th regiment of Indiana militia, and Samuel Fallis, major of the same regiment, which was read; and

On motion by Mr. Cotton,

Ordered, That the same be referred to the military committee, with leave to report thereon by bill or otherwise.

On motion by Mr. Drew,

Ordered, That Mr. Cotton be added to the military committee.

A message from the House of Representatives by Mr. Sullivan of Knox a member,

Mr. President—I am directed by the House of Representatives to inform the Senate, that Messrs. Sullivan of Knox, Ferris, Hay, Sturgus, Hanna and Zenor are appointed a committee, to act with the committee appointed by the Senate on the subject of public printing; and he withdrew.

Mr. Gregory gave notice that he would on Friday next, ask for leave to bring in a bill to extend the jurisdiction of Justices of the peace in civil cases, and make it co-extensive with the limits of the county, in which he is chosen.

Mr. Daniel gave notice, that he would on to morrow, ask leave to introduce a bill relative to attorneys and counsellors at law.

On motion,

The Senate adjourned until this afternoon 2 o'clock.

Tuesday afternoon, 2 o'clock, Dec. 5, 1820.

Senate assembled pursuant to adjournment.

The bill supplementary to an act entitled "an act supplementary to an act fixing the seats of justice in all the new counties hereafter to be laid off" was according to order read a second time to day; and

On motion by Mr. Gregory,

Ordered, That the same be committed to a committee of the whole. and made the order of the day for to morrow.

A message from the House of Representatives, by Mr. Ross, a member.

Mr. President—I am instructed by the House of Representatives to inform the Senate, that the House of Representatives have adopted the following resolution, viz:

Resolved, That a committee be appointed on the part of the House of Representatives to act with a similar committee that may be appointed, on the part of the Senate to enquire into the reports of the committee of Ways and Means of the General Assembly of the state of Indiana, for the years eighteen hundred and eighteen and eighteen hundred and nineteen, and that they enquire into the auditor and treasurer's report for the abovementioned years & that they have authority to call for any papers, and summons any person or persons to give testimony, touching those offices and officers of the before mentioned years, as well as their different reports; and that they report their proceedings to their respective houses; and that they have appointed messrs. Milroy, Ferris, Sullivan of Jefferson, Tipton, Robb, Ross, and Hay a committee on their part; and he withdrew.

On motion,

The Senate concurred in said report.

Whereupon,

Messrs. Polke, Bartholomew and Drew, were appointed a committee on the part of the Senate.

Ordered, That Mr. Polke inform the House of Representatives thereof.

On motion by Mr. Harrison,

The resolution from the House of Representatives, on the subject of electing a Senator in Congress and Secretary of state, was taken up, and

On motion,

The Senate concurred in said resolution.

Ordered, That Mr. Harrison inform the house of representatives thereof.

Mr. Harrison from the joint committee appointed for that purpose, submitted the following report :

Your committee appointed on the part of the Senate, to examine the offices of secretary of state, auditor of public accounts, and treasurer of state, respectfully submits the following joint report :

That in relation to the office of secretary of state, your committee find from an impartial examination, the office books, records and other documents, to be in good order : That the records have been completed up to the 9th of Nov. 1820, it being the end of the executive year as stated by the secretary of state, and that from the statement of the secretary, his records had not been brought up for some months previous to the end of the executive year : that it was his regular practice to complete his records at the end of each year only, alledging as an excuse, that no law or usage on the subject of his duty, directed him otherwise, and that by entering them all at one time, it would make his records appear in a more regular and clerical form.

Your committee close the report on the part of the secretary of state's office, with a recommendation that a committee be appointed to enquire into the expediency

of a law more particularly regulating and defining the duties of the secretary of state.

In relation to the offices of auditor of public accounts, and treasurer of state, your committee with much satisfaction find from a careful examination, their books, records, and other documents to be in neat, clerical order; and that in relation to the contingent fund, to which the enquiries of your committee have been particularly directed, (in pursuance of the resolution under which they acted) your committee have carefully examined the vouchers, on which said fund was drawn from the treasury, and find them to exactly correspond with the account of the treasurer. Your committee have thought proper in obedience to the resolution under which they acted, to annex to their report an abstract of vouchers by them examined, and on file in the treasurer's office.

All of which is respectfully submitted.

E. HARRISON,

Chairman of the committee.

An abstract of the vouchers, examined by the committee, relative to the contingent fund and on file in the treasurer's office, December 5, 1820, (to wit)

Paid D. C. Lane, for expenses in obtaining

loans from the 31st. December 1816 to

Jan. 16, 1818 - - - \$ 88 00

Being travelling expenses to Louisville and Vincennes, audited by the Governor 14th Jan. 1820.

“ An account rendered by William Farquar against the secretary of state for stationary - - - 15 12 1 2

Audited by the Governor Nov. 4, 1819.

“ An account of postage rendered by A. Brandon - - - 47 18 3.4

Audited by the Gov. Dec: 1, 1819

- “ An account in favor of Jesse Welsh, for table and block for secretary's office. 11 31 1-4
- “ An account of postage by sec'y of state, auditor, treasurer, and quarter master, stationary furnished; rendered by A. Brandon, audited Dec. 18, 1819 147 62
- “ An account of postage and stationary by secretary of state, auditor and adjutant general, audited by the Gov. Aug 3, 1819 42 55
- “ An account of Jeremiah Sullivan for his services as prosecuting attorney in Jefferson county in collecting 808 dolls from the sheriff; audited by the Gov. 48 48
- “ An account of Cox and Nelson for printing &c. audited by the Gov. Dec. 3, 1817 27 00
- “ An account of Cox and Nelson for printing &c. audited by the Gov. Dec. 3, 1817 27 00
- “ An account of G. R. P. Wilson for copying correspondence between the Acting Governor of Kentucky, and Governor of this state; also a joint resolution of the General Assembly relative to the canal: audited by the Governor March 22nd. 1820. 12 00
- “ An account of Nelson and Cox, for printing for the adjutant general's office, audited by the Gov. March 24, 1820. 33 38
- “ An account of D. C. Lane for travelling expenses to Vincennes & back to obtain a loan of 4.000 Audited by the Gov April 12, 1820. 26 00
- “ An account of Lodge and Arion for printing. audited by the Gov. April 15, 1820 3 00
- “ An account of R. W. Nelson for a press furnished the secretary of state, and transmitting laws to Corydon 30 00
Audited by the Gov. May 29, 1820.
- “ An account of Wm Gwathney for furnishing cord and binding up the laws for transportation 4 25

Audited by the Gov. April 29, 1820.

- “ An account of Wm. P. Thomasson for going to Frankfort on the business of the state and returning. 70 00

Audited July 20, 1820.

- “ An account of John Test for prosecuting on behalf of the state, in the supreme court in the case of Amasa Fuller vs. the state of Indiana 30 00

Audited by the Gov. July 22, 1820

- “ An account of Amos Lane for the same services 30 00

Audited by the Gov. the same day.

- “ An account of A. Brandon for postage by secretary of state, auditor, Governor, and adjutant general 40 98 1-2

Audited Nov. 4, 1820.

On motion,

The Senate concurred in the above report.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock.

Wednesday morning 9 o'clock, Dec. 6, 1820.

The Senate assembled pursuant to adjournment.

On motion,

Ordered, That Mr. Polke's name be taken from the committee appointed to inspect the auditor and treasurer's books &c. and that Mr. Slaughter's name be substituted in lieu thereof.

Mr. Slaughter from the committee for enrolled bills reported that they had compared the enrolled with the engrossed joint resolution of the General Assembly of the state of Indiana, fixing a place for the election of President and vice President of the United States. to meet and vote for the same, and find the same duly enrolled.

The engrossed bill divorcing Ephraim Dukes junr. from his wife Martha Dukes was read a third time to-day, and on the question being put "shall this bill pass," it was decided in the affirmative.

On motion,

Ordered, That the title of the said bill be "an act divorcing Ephraim Dukes junr. from his wife Martha Dukes."

Ordered, That Mr. Gregory inform the House of Representatives thereof; and that he request their concurrence thereto.

Agreeably to order, the bill, supplementary to the act, entitled an act supplementary to an act fixing the seats of justice in all new counties hereafter to be laid off, was taken up in committee of the whole, Mr. Gray in the chair, and after some time spent therein, the committee rose, and the President reported the bill without amendment.

On motion by Mr. Cotton,

Ordered, That said bill be referred to a select committee, with leave to report thereon.

Whereupon,

Messrs. Gregory, Harrison, Cotton and Gray were appointed that committee.

A message from the House of Representatives, by Mr. Ross, a member:

Mr. President—the Speaker of the House of Representatives having signed an enrolled joint resolution of the General Assembly of the state of Indiana, fixing a place for the Electors of President and Vice President of the United States to meet, and vote for the same, I am instructed to lay the same before the Senate for the signature of their President; and he withdrew.

Mr. President having signed the same, it was handed to the committee for enrolled bills, to lay before the Governor.

The bill establishing the permanent seat of justice for

the county of Wayne, was read a second time to day, and,

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The bill for the relief of James Thompson and others, was, according to order, read a second time to day, and,

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion,

Ordered, That the Senate adjourn until 1 o'clock this afternoon. And the Senate adjourned.

Wednesday Afternoon, Dec. 6.

The Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee for enrolled bills, reported that the committee did, this day, lay before his Excellency the Governor, for his approval and signature, an enrolled joint resolution of the General Assembly of the state of Indiana, fixing a place for the Electors of President and Vice President of the United States to meet and vote for the same:

On motion by Mr. Drew,

Ordered, That a teller be appointed on the part of the Senate, to act with such one as may be appointed on the part of the House of Representatives, to count the votes given for a Senator in Congress and Secretary of State, at the election to take place this day at 2 o'clock.

Ordered, That Mr. Drew be the teller on the part of the Senate; and that he inform the House of Representatives thereof.

A message from the *House of Representatives* by Mr. Sullivan of Knox a member,

Mr. President—I am instructed to inform the Senate, that the *House of Representatives*, have appointed Mr. Sullivan, of Knox, teller on their part in the election for Senator in Congress and Secretary of State; and he withdrew.

A message from the *House of Representatives* by Mr. Ross, a member :

Mr. President—I am instructed to inform the Senate, that the *House of Representatives* have adopted the following resolution :

Resolved, That the Senate be invited to take a seat in the Representative Chamber immediately, for the purpose of electing a Senator to Congress and a Secretary of State; and he withdrew.

Whereupon,

The Senate repaired to the Representative Chamber, for the purpose of voting for a Senator to Congress and a Secretary of State; and after having performed that duty, retired to their Chamber.

On motion,

Ordered, That the Senate adjourn until to morrow morning. 9 o'clock.

And the Senate adjourned.

Thursday Morning, December 7, 1820.

Senate Assembled pursuant to adjournment.

The joint resolution of the General Assembly of the state of Indiana, on the subject of voting, was, according to order, taken up in committee of the whole, Mr. Bartholomew in the chair, and after some time spent therein, Mr. President resumed the chair, and reported the bill to the Senate with some amendments.

On motion by Mr. Harrison,

The Senate concurred in the amendments made to the said bill in committee of the whole.

On motion,

Ordered, That the same be engrossed for a third reading to-morrow.

The bill for the relief of James Thompson and others, was, according to order, taken up in committee of the whole, Mr. Harrison in the chair, and after some time spent therein, the President resumed the chair, and reported the same to the Senate, with an amendment.

On motion,

The Senate concurred in the amendment made to the said bill in committee of the whole.

On motion,

Ordered, That said bill be engrossed for a third reading on to-morrow.

On motion by Mr. Drew,

Ordered, That the committee of the whole be discharged from the further consideration of the bill establishing a permanent seat of justice for the county of Wayne, and that the said bill be considered as engrossed, and be read a third time now.

Whereupon,

The said bill was read a third time, and on the question being put, shall this bill pass? It was decided in the affirmative.

On motion,

Ordered, That the title of said bill be, an act establishing a permanent seat of justice for the county of Wayne.

Ordered, That Mr. Baird inform the House of Representatives of the passage of said bill, and request their concurrence therein.

On motion by Mr. Drew,

The Senate adopted the following resolution :

Resolved, That a committee be appointed to draft and bring in a bill defining the duties of Secretary of State.

Whereupon,

Messrs. Drew and Daniel were appointed that committee.

On motion,

The Senate adjourned until this afternoon, 2 o'clock.

Thursday Afternoon, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Harrison from the committee appointed to enquire into the expediency of revising the statute laws of this state, reported by bill ; which was read, and

On motion,

Ordered, That the same be read a second time to-morrow.

On motion by Mr. Drew,

The Senate adopted the following resolution.

Resolved, That a committee be appointed to enquire into the expediency of memorializing Congress for permission to tax the lands which have been purchased of the United States, since the first day of July last, and all those lands which may be hereafter purchased from the United States. Previous to the adoption of the said resolution, Mr. Harrison submitted the following amendment thereto, viz :

“ And all lands heretofore purchased from government, subsequent to the first day of December 1816.

The yeas and nays being demanded by two members on the adoption of said amendment ; those who voted in the affirmative were

Messrs Drew, Daniel, Gray and Harrison—4.

And those who voted in the negative, were—

Messrs. Baird, Bartholomew, Cotton, Gregory, Polke and Slaughter—6

And so the amendment was lost.

Messrs. Drew, Daniel, Cotton and Harrison, were

appointed a committee on the resolution as adopted.

Mr. Harrison from the military committee to whom was referred the petition of John F. Siebenthall, colonel 14th regiment Indiana militia, and Samuel Fallis major of the said regiment, reported, that the committee had had the same under consideration, and that they were of opinion that the prayer of the petitioners is unreasonable and ought not to be granted, and

On motion,

The Senate concurred in the said report.

On motion,

Senate adjourned until to morrow morning, 9 o'clock.

Friday Morning, December 8, 1820.

Senate assembled pursuant to adjournment.

Mr. Drew from the committee to whom the subject was referred, reported that the joint committee have adopted the rules and modes of transacting business between the two houses of the General Assembly, adopted in the year 1818, as the joint rules of the present General Assembly.

The engrossed bill for the relief of James Thompson, Jesse W. Knighten and David Downs, was according to order read a third time to day, and on the question being put "shall this bill pass?" It was decided in the affirmative.

On motion,

Ordered, That the title of said bill be "an act for the relief of James Thompson, Jesse W. Knighten and David Downs."

Ordered, That Mr. Gregory inform the house of representatives of the passage of said bill, and request their concurrence therein.

The engrossed joint resolution of the General Assembly of the state of Indiana, on the subject of voting, was

read a third time to day, and on the question being put, "shall this resolution pass?" It was decided in the affirmative.

On motion,

Ordered, That the title thereof be, "a joint resolution of the General Assembly of the State of Indiana, on the subject of voting."

Ordered, That Mr. Harrison inform the house of representatives of the passage of said bill, and request their concurrence therein.

The bill for the revision of the statute laws of this state, was according to order read a second time to day—and,

On motion,

Ordered, That the said bill be committed to a committee of the whole, and made the order of the day for to-morrow.

Mr. Bartholomew asked and obtained leave to hand in the petition of Smith Hunt and others, officers of the Wayne county militia, praying that but two musters in a year may be appointed by law, which was read, and

On motion,

Ordered, That the said petition be referred to the military committee with leave to report thereon.

Mr. Slaughter from the joint committee for enrolled bills, reported that the committee have compared the following enrolled with the engrossed bill, to-wit, "an act authorizing the Associate Judges of Martin county, to appoint a clerk in vacation, and find it truly enrolled.

A message from the House of Representatives by Mr. Milroy, a member :

Mr. President—I am instructed to inform the Senate that the House of Representatives have passed an engrossed bill arranging the boundary line between the counties of Washington and Scott ; to which they request the concurrence of the Senate, and he withdrew.

The said bill was read ; and

On motion,

Ordered, That the said bill be read a second time to morrow.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed an enrolled bill, entitled “ an act authorizing the Associate Judges of Martin county to appoint a clerk in vacation,” I am instructed to lay the same before the Senate for the signature of the president : and he withdrew.

The President having signed the same, it was handed to the committee for enrolled bills to lay before the Governor for his approval and signature.

On motion,

The Senate adjourned until 2 o'clock this afternoon.

Friday afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Drew asked and obtained leave to hand in the petition of sundry inhabitants of what is commonly called the new purchase, praying for a new county therein, and

On motion by Mr. Drew,

The said petitions were referred to the same committee to whom was referred the expediency of subdividing the counties of Delaware and Wabash, with leave to report thereon by bill or otherwise.

On motion by Mr. Slaughter,

The select committee to whom was referred the Governor's communication on the Adjutant General's office, were discharged from the further consideration thereof.

On motion by Mr. Harrison,

The Senate adopted the following resolution :

Resolved, That it is the wish of the Senate, that the following committees on their part, confer with the similar committees on the part of the House of Representatives, to wit: the military committee, the committee on

banks, and the committee on the several acts subjecting real and personal property to execution; and that they be considered as joint committees, the House of Representatives concurring therein; and that the said joint committee agree in which house they will report.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

Mr. Gregory, from the select committee to whom the bill, supplementary to the act, entitled an act supplementary to an act entitled an act fixing seats of Justice in all new counties hereafter to be laid off, was recommended, reported the said bill, which was read, and,

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Drew asked and obtained leave to hand in the petition of Chauncy Butler and others, praying that Sand creek from its mouth to the town of Geneva, may be declared a public highway, which was read, and,

On motion,

Ordered. That said petition be referred to a select committee, with leave to report thereon.

Whereupon,

Messrs. Drew, Baird, Cotton, Gregory and Polke were appointed that committee.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the Senate adjourned.

Saturday, December 9, 1820.

Senate assembled pursuant to adjournment.

Mr. Slaughter gave notice that he would, on Monday next, or some subsequent day of the present session, ask leave to introduce a bill to provide for the election of constables.

Mr. Gregory, agreeably to previous notice, obtained

leave to introduce a bill, to amend an act, entitled an act regulating the jurisdiction and duties of justices of the peace, approved January 28th, 1818, which was read, and,

On motion,

Ordered, That the same be read again on Monday next.

A message from the House of Representatives by Mr. Tipton, a member.

Mr. President—I am instructed to inform the Senate, that the House of Representatives have passed an engrossed bill, for the relief of sheriffs, to which they request the concurrence of the Senate; and he withdrew. Which was read, and,

On motion,

Ordered, That it be read again on Monday next.

Mr. Drew, from the joint committee appointed for that purpose, submitted the following report:

That the joint committee appointed to enquire into the contract made by Brandon & Co. for the public printing, have performed that duty, and the result of their investigation is, that the contract was entered into within the law empowering the Secretary of State, Auditor and Treasurer of State, to contract for the public printing.

On motion,

Resolved, That the Senate concur in said report.

The bill for the revision of the statute laws of this state, was taken up in committee of the whole. Mr. Gregory in the chair, and after some time spent therein, Mr. President resumed the chair, and reported the bill to the house, with some amendments. The amendments having been agreed to,

Ordered, That the said bill be engrossed for a third reading on Monday next.

A message from the House of Representatives by Mr. Tipton, a member.

Mr. President—I am instructed to inform the Sen-

ate, that the House of Representatives have adopted the following resolution :

Resolved, That a committee be appointed on the part of this house, to act in conjunction with a similar committee on the part of the Senate, to enquire into the expediency of passing a law to reduce into one, all acts and parts of acts heretofore in force, subjecting real and personal estate to sale by execution ; and the Senate be informed thereof ; and that they have appointed as a committee on their part, Messrs. Tipton, Sullivan, of Jefferson, and Milroy ; and he withdrew.

On motion,

Ordered, That said resolution lie on the table.

The engrossed bill, arranging the boundary line between the counties of Washington and Scott, was read a second time to-day, and,

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for Monday next.

The bill supplementary to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off, was read a second time to day, and,

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for Monday next.

Mr. Drew, from the committee appointed to draft a Memorial to Congress, on the subject of taxing lands sold since the 1st day of July, 1820, reported a Memorial for that purpose, which was read and adopted.

Ordered, That the secretary inform the House of Representatives thereof, and request their concurrence therein.

On motion,

Ordered, That the Senate adjourned until this afternoon, 2 o'clock.

Saturday Afternoon, 2 o'clock.

Senate Assembled pursuant to adjournment.

On motion,

Ordered, That the Senate adjourn until Monday morning, 9 o'clock.

And the Senate adjourned.

Monday Morning, December 11, 1820.

The Senate assembled pursuant to adjournment.

On motion,

The Senate proceeded to the consideration of the resolution from the House of Representatives, on the subject of appointing a joint committee to enquire into the expediency of passing a law to reduce into one, all acts and parts of acts heretofore in force in this state, subjecting real and personal estate to sale by execution, and,

On motion,

Resolved, That said resolution be concurred in by the Senate.

Whereupon,

Messrs. Drew, Daniel, Harrison and Slaughter were appointed on the part of the Senate.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

On motion by Mr. Harrison,

Ordered, That the committee appointed on the part of the Senate, to enquire into the expediency of a law, amendatory to the several acts now in force, subjecting real and personal property to execution, be discharged from the further consideration thereof.

The engrossed bill for the revision of the statute laws of this state, was read a third time.

Resolved, That this bill pass, and that the title there-

of be, an act for the revision of the statute laws of this state.

Ordered, That Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

The bill, supplementary to an act, entitled an act supplementary to an act, fixing the seats of justice in all new counties hereafter to be laid off, was taken up in committee of the whole, Mr. Cotton in the chair, and after some time spent therein, the President resumed the chair, and reported the bill to the Senate with an amendment, and,

On motion,

Resolved, That the Senate concur in the amendment, and that the bill be engrossed for a third reading to-morrow.

On motion by Mr. Bartholomew,

Resolved, That the committee of the whole, to whom was referred the bill from the House of Representatives, entitled an act arranging the boundary line between the counties of Washington and Scott, be discharged from the consideration thereof, and that the said bill be read a third time now; said bill was accordingly read—and,

Resolved, That the bill pass.

Ordered, That Mr. Bartholomew inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, for the relief of sheriffs, was read a second time to-day.

Mr. Harrison moved to postpone the said bill indefinitely, which was decided in the negative, and,

On motion by Mr. Drew,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for to-morrow.

The bill to amend the act, entitled an act regulating

the jurisdiction and duties of justices of the peace, was read a second time to-day, and,

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Ross, a member :

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have passed an engrossed joint resolution, providing for an interchange of statute laws with the several states in the Union, to which they request the concurrence of the Senate; and he withdrew—which was read, and,

On motion,

Ordered, That the same be read a second time to-morrow.

A message from the House of Representatives by Mr. Ferris, a member :

Mr. President—I am instructed to inform the Senate, that the House of Representatives, have passed an engrossed bill, to amend the act, entitled an act to prevent certain immoral practices, approved January 3d, 1817, to which they request the concurrence of the Senate; and he withdrew.

The said bill having been read,

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Slaughter, agreeably to previous notice, obtained leave to introduce a bill, to provide for the election of constables, which was read, and,

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Gregory gave notice, that he would, on to-morrow, or some other day of this session, ask leave to in-

introduce a bill to provide a summary mode for the collection of debts in certain cases.

On motion by Mr. Drew,

Resolved, That the committee of Ways and Means instruct Messrs. Brandon and Co. to print one hundred and fifty copies of the Journals of the Senate of the present session.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Monday Afternoon, 2 o'clock.

The Senate assembled pursuant to adjournment.

A message from the house of representatives by Mr. Tipton, a member.

Mr. President—I am instructed to inform the Senate that the house of representatives have passed a joint resolution concerning the treasurer of state, in which they request the concurrence of the Senate; and he withdrew; which was read, and

On motion by Mr. Harrison,

Resolved, That so much of the rules of the Senate, as require the reading of a bill or joint resolution, on three several days be dispensed with, and that the same be read a second and third time now; and the same having been read a second and third time—

On motion by Mr. Harrison,

The resolution was so amended, as to make the title thereof read “a joint resolution.”

Resolved. That the joint resolution pass as amended, The yeas and nays being demanded by two members, those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Gray, Gregory, Harrison and Slaughter—6

In the negative,

Messrs. Baird, Drew, and Polke—3.

Ordered, That Mr. Slaughter inform the house of representatives thereof, and request their concurrence in the said amendment.

A message from the house of representatives by Mr. Sullivan of Knox, a member.

Mr. President—I am instructed by the house of representatives to inform the Senate that they have adopted the following resolution, viz :

Whereas it is necessary, every information relative to the situation and government of the banks of the state of Indiana, should be sought for and acquired by the present General Assembly that can be had in justice and good faith, and consistent with the constitution of the state and the charters of the banks, in order to give satisfaction to the people of the state, and to enable the present General Assembly, to guard against the evil effects of circulating depreciated bank paper ; and whereas the executive of the state, is authorized by the charter of the bank of Vincennes, the state bank of Indiana to examine in person the books and accounts of said bank of Vincennes and her branches ; therefore,

Be it resolved, That the Senate be requested to appoint a committee to act with the committee appointed by the house of representatives, on that part of the Governor's message, relative to the banks and the circulating medium of the state, and that the said joint committee call upon the Governor of the state for the following information, and that if it is possible for him to give it from a personal examination, if not by a call upon the banks.

1st. What are the bye-laws, ordinances and regulations of said institutions, and whether they are consistent with the constitution and laws of the state.

2. Whether the vacancies occasioned, in the directory by death, resignation or removal, have been filled up by election for the balance of the year.

3. Whether the amount of debts owed by said banks

have been at any one time, more than double the amount of silver, or its equivalent actually deposited for safe keeping : and if so to report the names of the directors.

4. Whether the banks have taken more than six per cent interest per annum.

5. Whether any director of a branch bank has had at any time on loan more than five thousand dollars.

6. Whether any of the directors of the mother bank, or branches are either directly or indirectly concerned in any private or individual banking institution, and if so to report the names of the directors.

7. Whether the mother bank of Vincennes has not issued notes payable at the branches without their consent or knowledge.

8. Whether the directors of the bank of Vincennes, the state bank of Indiana, have laid before the stockholders, at any general meeting, an exact and particular statement of debts unpaid said institution, as by the charter required.

9. Whether the solvency of said bank has been impaired by the default of any of its officers, and if so who they are and who are their accomplices.

10. In order that the present General Assembly, and the people of the state may be enabled to judge of the solvency or insolvency of the banks, that the Governor report the amount subscribed and actually paid in on stock, and by whom now owned ; the amount on special deposit, and the amount on general deposit, and of what kind of money it is on deposit ; if it is bank paper, on what banks, and by whom deposited ; the amount of paper in circulation ; the amount of debts due and by whom, with the names of the indorsers ; the amount of silver, gold, and United States' paper on hand, and by them owned, and the value of the real estate owned.

11. That if the information asked for, is obtained by a call upon the banks by the Governor, that the proper officer or officers make it upon oath.

12. That the Governor communicate the information aforesaid to the present General Assembly, if obtained in time, and if not to the next General Assembly.

13. That the said joint committee take all ways and means to obtain the like information, relative to the Bank of Madison and her branches, and report to their respective houses ; to which they request the concurrence of the Senate ; and

That the committee on the part of the house of representatives consists of Messrs. Clark, Robb, Gibson, Merrell, Powell, Holman, and Goudie : and he withdrew.

The said resolution was read, and

On motion,

The Senate concurred therein, and

The committee to whom was referred so much of the Governor's message as relates to the circulating medium, consisting of Messrs. Harrison, Drew, Daniel, and Cotton, were appointed a committee on the part of the Senate.

Ordered, That Mr. Drew inform the house of representatives thereof.

On motion by Mr. Harrison,

Resolved, That the joint committee on banks be instructed to report a bill to prevent the further emission, or issue of bank notes on the state bank or branches, and that the committee be further instructed to insert a provision, compelling a resumption of specie payments, on the part of the branches, at such time as the committee may deem expedient ; and that the house of representatives be informed thereof, and a similar resolution on their part requested.

Ordered, That Mr. Harrison inform the house of representatives thereof.

On motion,

Resolved, That the secretary of the Senate be instructed to hand over to Messrs. Brandon and Co. the

journals of the Senate for publication, as the same may progress.

On motion by Mr. Polke,

Resolved, That the committee heretofore appointed (except the last) on the subject of banks be discharged from the further consideration thereof.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the Senate adjourned.

Tuesday Morning, December 12, 1820.

The Senate assembled pursuant to adjournment.

Mr. Polke agreeably to previous notice obtained leave to introduce a bill providing for running and marking the state line between the state of Indiana and Illinois, which was read, and

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Gregory agreeably to previous notice obtained leave to introduce a bill, to provide a summary mode for the collection of debts in certain cases; which was read, and,

On motion,

Ordered, That the same be read a second time to-morrow.

The engrossed bill, supplementary to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off, was read a third time.

Resolved, That this bill pass, and that the title thereof be an act supplemental to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off.

Ordered, That Mr. Gregory inform the House o

Representatives thereof, and request their concurrence therein.

The bill for the relief of sheriffs, from the House of Representatives, was, according to order, taken up in committee of the whole, Mr. Baird in the chair, and after some time spent therein, the committee rose, and the President reported the bill to the Senate with several amendments made thereto, which amendments having been read were concurred in—and,

On motion by Mr. Cotton,

The bill under consideration was recommitted to a select committee with leave to report thereon.

Messrs. Cotton, Gregory, Bartholomew and Slaughter were appointed that committee.

Mr. Cotton asked and obtained leave to hand in the petition of Zachariah Lindley, late sheriff of Orange county, praying relief; which was read, and,

On motion,

The said petition was referred to the same select committee to whom was recommitted the bill for the relief of sheriffs, with leave to report thereon.

A message from the House of Representatives by Mr. Tipton, a member

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have concurred in the amendment made by the Senate, to the engrossed joint resolution concerning the Treasurer of State, which originated in the House of Representatives; and he withdrew.

The bill to amend the act, entitled an act regulating the jurisdiction and duties of justices of the peace, was taken up in committee of the whole, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the same with sundry amendments.

On motion by Mr. Polke,

The Senate postponed the further consideration of that bill indefinitely.

The bill to provide for the election of constables was read a second time to-day, and,

On motion by Mr. Gregory,

The Senate postponed the further consideration of the said bill indefinitely.

The engrossed bill from the House of Representatives, to amend the act, entitled an act to prevent certain immoral practices, approved January 3d, 1817, was read a second time to-day, and,

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for to-morrow.

The engrossed joint resolution from the House of Representatives, providing for an interchange of statute laws with the several states in the Union, was read a second time to day, and,

On motion,

Ordered, That the same be read a third time to-morrow.

On motion,

Ordered, That the Senate adjourned until this afternoon, 2 o'clock.

And the Senate adjourned.

Tuesday Afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee for enrolled bills, reported that they had compared the following enrolled with the engrossed joint resolution, and find it truly enrolled. viz :

A joint resolution of the General Assembly, concerning the treasurer of state.

Mr. Gregory gave notice, that he would, on to-morrow, or some subsequent day, ask leave to introduce a bill, to attach part of the new purchase to Monroe county.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the Senate adjourned.

Wednesday Morning, December 13, 1820.

The Senate assembled pursuant to adjournment.

The engrossed joint resolution from the House of Representatives, providing for an interchange of Statute laws with the several states of the Union, was read a third time and passed.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, to amend the act, entitled an act to prevent certain immoral practices, approved January 3d, 1818, was, according to order, taken up in committee of the whole, Mr. Gray in the chair, and after some time spent, the committee rose, Mr. President resumed the chair, and reported the bill to the Senate, with an amendment; which amendment having been concurred in,

On motion,

The said bill was read a third time.

Resolved, That the said bill pass as amended.

Ordered, That Mr. Baird inform the House of Representatives thereof, and request their concurrence in said amendment.

The bill providing for running and marking the state line between the states of Indiana and Illinois, was, according to order, read a second time to-day, and,

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The bill to provide a summary mode for the collec-

tion of debts in certain cases, was read a second time to day, and,

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for tomorrow.

A message from the House of Representatives by Mr. Milroy, a member :

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have adopted a memorial to Congress on the subject of Public Lands; and have passed an engrossed bill, for the benefit of John De Pauw, to each of which they request the concurrence of the Senate; and he withdrew.

The said memorial to Congress having been read, was.

On motion,

Ordered, To be committed to a committee of the whole house, and made the order of the day for this day, and,

The Senate, according to order, resolved itself into committee of the whole on the before mentioned Memorial, Mr. Gregory in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

The engrossed bill from the House of Representatives, for the benefit of John De Pauw, was read the first time to day, and,

On motion,

Ordered, That the same be read a second time tomorrow.

A message from the House of Representatives by Mr. Ferris, a member.

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have concurred in the amendment made by the Senate to a bill from the House of Representatives, entitled an act to amend an act, entitled an

act to prevent certain immoral practices ; and he withdrew.

A message from the *House of Representatives* by Mr. Ross, a member :

Mr. President—the Speaker of the House of Representatives having signed a joint resolution concerning the treasurer of state, which originated in the House of Representatives, I am instructed to lay the same before the Senate, for the signature of their President ; and he withdrew.

The President having signed the same, it was handed to the committee for enrolled bills, to be presented to the Governor for his approbation and signature.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

And the Senate adjourned.

Wednesday Afternoon, 2 o'clock.

The Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Milroy, a member :

Mr. President—I am instructed by the *House of Representatives*, to inform the Senate, that the *House of Representatives* have passed an engrossed joint resolution of the General Assembly, authorizing the associate judges of Washington county to appoint a clerk in vacation, to which they request the concurrence of the Senate ; and he withdrew.

The same having been read,

On motion by Mr. Gregory,

So much of the rules of the Senate as require the reading of a bill or joint resolution on three several days, were dispensed with, and,

Ordered, That the same be read a second time now.

The same was accordingly read a second and third time, and amended.

Resolved, That said joint resolution pass as amended.

Ordered, That Mr. Gregory inform the House of Representatives of the passage thereof, and request their concurrence in the said amendment.

A message from the House of Representatives, by Mr. Hay, a member :

Mr. President—I am instructed by the House of Representatives to inform the Senate, that the House of Representatives have passed an engrossed bill to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal property to execution, approved 18th January, 1818, to which they request the concurrence of the Senate ; and he withdrew.

The said bill having been read, was,

On motion,

Ordered, To be read a second time to-morrow.

A message from the House of Representatives by Mr. Milroy, a member :

Mr. President—I am instructed to inform the Senate, that the House of Representatives, have concurred in the amendment made by the Senate to the joint resolution of the General Assembly, authorizing the associate judges of Washington county to appoint a clerk in vacation, which originated in the House of Representatives ; and he withdrew.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the Senate adjourned.

Thursday Morning, December 14, 1820.

Senate assembled pursuant to adjournment.

Mr. Drew from the committee appointed on so much of the Governor's message as relates to the apportion-

ment of representation in the General Assembly, reported by bill, which was read—and

On motion,

Ordered, That the same be read a second time on to morrow.

Mr. Gregory obtained leave to hand in the petition of Jacob Cutler and others, praying for the erection of a new county, to embrace certain limits, in what is commonly called the new purchase ; and,

On motion by Mr. Gregory,

The said petition was referred to the same select committee, to whom was referred the petition of sundry inhabitants, praying a sub-division of the counties of Delaware and Wabash, with leave to report thereon.

Mr. Daniel agreeably to previous notice obtained leave to introduce a bill relative to counsellors and attorneys at law ; which was read, and

On motion,

Ordered, That the same be read a second time on to morrow.

Mr. Slaughter from the committee for enrolled bills, reported that they had compared the following enrolled joint resolution with the engrossed, and find the same truly enrolled : viz “ a joint resolution of the General Assembly, authorizing the Associate Judges of Washington county to appoint a clerk in vacation.”

Mr. Daniel gave notice that he would on Monday next ask leave to introduce a bill relative to insolvent debtors.

A message from the house of representatives by Mr. Thornton, their assistant clerk.

Mr. President—I am instructed by the house of representatives to inform the Senate that the house of representatives have adopted the memorial to Congress, on the subject of taxing lands sold since the first day of July 1820, which originated in the Senate, with an amendment. They have also passed an engrossed bill entitled, “ an act for the relief of George White on the

subject of a ferry," which originated in the Senate, with sundry amendments, in which several amendments they request the concurrence of the Senate; and he withdrew.

On motion,

The Senate proceeded to consider the amendments, made by the house of representatives, to the memorial to Congress on the subject of taxing lands sold since the first day of July 1820.

On motion,

To concur to said amendments it was decided in the negative.

Ordered, That Mr. Polke inform the house of representatives thereof.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—I am instructed to inform the senate. that the house of representatives insist on their amendments made to the memorial to Congress on the subject of taxing lands sold since the first day of July 1820, which originated in the senate; and he withdrew.

On motion by Mr. Polke,

Resolved, That the senate insist upon their objections to the amendments made by the house of representatives to the said memorial, and that a committee of free conference be appointed on the part of the senate, to adjust the difference between the two houses on the said memorial, and that the house of representatives be informed thereof, and a similar committee be requested on their part.

Whereupon,

Messrs. Polke and Cotton were appointed a committee of free conference on the part of the senate.

Ordered, That Mr. Polke inform the house of representatives thereof.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—I am instructed by the house of re-

representatives to inform the senate that the house of representatives insist upon their amendments, made to the memorial to Congress on the subject of taxing lands sold since the first day of July 1820, and accede to a committee of conference at the solicitation of the senate and have appointed Messrs. Sullivan of Knox, and Clark managers on their part : and he withdrew.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed a joint resolution of the General Assembly of the state of Indiana, authorizing the associate Judges of Washington county to appoint a clerk in vacation, I am instructed to lay the same before the senate for the signature of their president : and he withdrew.

The President having signed the said joint resolution, it was handed to the committee for enrolled bills, to present to the Governor for his approbation and signature.

The Senate according to order resolved itself into a committee of the whole on the bill providing for running and marking the state line between the states of Indiana and Illinois ;

Mr. Daniel in the chair,

And after some time spent therein,

The committee rose, and the President reported the bill to the senate with sundry amendments.

The Senate having concurred in the amendments, made by the committee of the whole :

On motion,

Ordered, That the bill be engrossed for a third reading on to morrow.

The senate according to order resolved itself into a committee of the whole on the bill to provide a summary mode for collection of debts in certain cases : Mr. Bartholomew in the chair, and after some time spent

therein, the President resumed the chair, and reported the bill to the senate with an amendment.

The amendment having been concurred in,

On motion,

Ordered, That the bill be engrossed for a third reading on to morrow.

The engrossed bill from the house of representatives for the benefit of John De Pauw, was read a second time to day. and

On motion,

Ordered, That the same be read a third time to-morrow.

The engrossed bill from the house of representatives to repeal an act entitled "an act to amend an act subjecting real and personal property to execution, was read a second time to day ; and,

On motion,

Ordered, That the same be read a third time on to-morrow.

A message from the Governor by W. H. Lilly Esq.

Mr. President—I am instructed to lay before the Senate a communication in writing from his Excellency the Governor ; and he withdrew.

The Governor's communication was read and is as follows :

To the Senate and House of representatives.

Herewith are submitted to the General Assembly, copies of a communication from the adjutant general relative to the official returns of the militia. Of six divisions, only one division return has been made, and of thirteen brigades, seven only have made official returns, to the adjutant general's office.

The quota of public arms to which this state may be entitled, will at all times be in proportion to its military force as returned.

I recommend to the consideration of the General Assembly, the propriety of providing by law for requiring security for the return when required, as well as for

keeping in repair the public arms, which are, or hereafter may be put in possession of the militia of the state.

It would be expedient, that the brigade inspectors, be required to make frequent reports to the quarter master general, through the inspectors of division, of the situation of such public arms, as may be within their respective brigades, and that authority be given by law, to take those arms from the possession of any company that shall neglect or refuse to perform such duties as are essential to meet with promptness events which may demand an exercise of the physical force of the state.

JONATHAN JENNINGS.

Dec. 15, 1820.

On motion,

The Governor's communication with the accompanying document, was referred to the military committee, with leave to report thereon.

On motion,

The senate proceeded to consider the amendments made by the house of representatives to the bill from the senate entitled, "an act for the relief of George White on the subject of a ferry," which amendments having been read,

On motion,

Resolved, That the senate concur in the amendments made by the house of representatives to the said bill.

Ordered, That Mr. Bartholomew inform the house of representatives thereof.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

And the Senate adjourned.

Thursday Afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

On motion,

John N. Dunbar esq. assistant secretary to the sen-

ate was called, who accordingly appeared in the senate when the several oaths prescribed by law, were administered to Mr. Dunbar, by David Craig Esq.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

Mr. Slaughter from the committee for enrolled bills, reported that the committee did this day present to his Excellency the Governor for his approval and signature a joint resolution of the General Assembly of the state of Indiana, authorizing the associate Judges of Washington county to appoint a clerk in vacation.

Mr. Cotton from the select committee to whom was referred the bill from the house of representatives for the relief of sheriffs, reported the same without amendment.

On motion,

The senate concurred in the report of the select committee.

On motion,

Ordered, That the bill be read a third time to-morrow.

On motion by Mr. Daniel,

The committee of the whole to whom was referred the memorial of the General Assembly of the state of Indiana, to Congress on the subject of the public lands, were discharged from the farther consideration thereof, and

On motion, by Mr. Harrison,

Resolved, That the memorial be adopted.

Ordered, That Mr. Harrison inform the house of representatives thereof.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—I am instructed to inform the senate that the house of representatives have adopted the following resolution to wit :

Resolved. That the senate be informed that the house of representatives have preferred articles of impeach-

ment against Jacob Brookhart, Justice of the peace in Clark county and have appointed Mr. Sullivan of Knox Sullivan of Jefferson, Merrell, Battell, Hay and Ross managers thereof, and demand justice of the senate and a day to be set when they will hear the case aforesaid; and that process be required of the senate to compel the attendance of the said Brookhart, to answer to the said articles of impeachment; and for Robert Hopkins, Wm. Heth, Johnson Coniray, James Marshall, Livi Owens and Wm. Wright of Clark county, and George Garretson of Floyd county as witnesses on the part of the house of representatives.

I am also authorized to inform the senate that the house of representatives have appointed Francis N. Moore serjeant at arms: and he withdrew.

On motion by Mr. Harrison,

Resolved, That the senate now proceed to the election of serjeant at arms, to serve as such so long as the senate may require his services.

Mr. Slaughter was appointed teller on the part of the senate to count the votes given for serjeant at arms; when it appeared that Francis N. Moore was duly elected.

Mr. Polke from the committee of free conference appointed to adjust the differences between the two houses, on the subject of the amendment made by the house of representatives to the memorial to Congress on the subject of taxing lands, sold since the first day of July 1820, reported that the committee on the part of the senate have agreed to recede from their objections to the said amendment.

On motion,

Resolved, That the senate concur in the report of the committee of free conference, and that the amendment be adopted.

Ordered, That Mr. Polke inform the house of representatives thereof.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

And the senate adjourned.

Friday morning 9 o'clock, Dec. 15, 1820.

The Senate assembled pursuant to adjournment.

The bill for the relief of John De Pauw from the house of representatives, was according to order read the third time to day, and amended.

Resolved, That the bill pass as amended.

Ordered, That Mr. Drew inform the house of representatives thereof, and request their concurrence in the said amendment.

The bill from the house of representatives for the relief of sheriffs. was read a third time to day, and amended by striking out the 6th section.

Resolved, That the the bill pass as amended.

Ordered, That Mr. Drew inform the house of representatives thereof, and request their concurrence in the said amendment.

The engrossed bill from the house of representatives to repeal an act entitled an act to amend an act entitled an act subjecting real and personal property to execution—approved 18th January 1818, was read a third time, and

On motion,

Ordered, That the said bill lie on the table.

The engrossed bill providing for running and marking the state line between the states of Indiana and Illinois, was read a third time to day.

Resolved, That the bill pass and that the title thereof be an act providing for running and marking the state line between the states of Indiana and Illinois.

Ordered, That Mr. Polke inform the house of representatives thereof, and request their concurrence therein.

The engrossed bill providing a summary mode of collecting debts, was read a third time.

Resolved, That the bill pass and that the title thereof be an act providing a summary mode of collecting debts in certain cases.

Ordered, That Mr. Gray inform the House of Representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Ferris, a member:

Mr. President—I am instructed to inform the Senate, that the House of Representatives have passed an act to repeal an act entitled an act defining seals to be affixed to instruments of writing and for other purposes, to which they request the concurrence of the Senate : and he withdrew.

The bill having been read, was

On motion,

Ordered. To a second reading on Monday next.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—I am instructed by the House of Representatives to inform the Senate that the House of Representatives have refused to concur in the amendment made by the Senate to the bill from the House of Representatives for the relief of sheriffs ; and concur in the amendment made by the Senate to the bill from the House of Representatives for the relief of John De Pauw ; and he withdrew.

The bill for the apportionment of the Senators and Representatives within this state was read a second time to day ; and

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for Monday next.

The bill relative to attornies and counsellors at law, was read a second time to day ; and

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for to morrow.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Friday Afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee for enrolled bills, reported that they had compared the following enrolled with the engrossed bill, viz: a bill entitled an act for the relief of George White, on the subject of a ferry; and that they had found the same truly enrolled — And also the engrossed with the enrolled Memorial to Congress on the subject of taxing lands sold since the first day of July, 1820, which originated in the Senate, and find the same truly enrolled.

Mr. Drew asked and obtained leave to introduce a bill for the formation of a new county out of the counties of Franklin, Fayette and Wayne.

The same having been read,

On motion,

Ordered, That the same be read a second time to-morrow.

A message from the House of Representatives by Mr. Ross, a member:

Mr. President—I am instructed to inform the Senate, that the Speaker of the House of Representatives has signed an enrolled bill, entitled an act for the relief of George White, upon the subject of a ferry—also, a Memorial of the General Assembly of the state of Indiana to Congress, on the subject of taxing lands sold since the first day of July, 1820; and I am instructed to lay the same before the Senate for the signature of the President.

The President having signed the same, the bill en-

titled an act for the relief of George White, upon the subject of a ferry, was handed to the committee for enrolled bills, to be presented to his Excellency the Governor, for his approbation and signature.

A message from the House of Representatives by Mr. Ferris, a member :

Mr. President—I am instructed by the House of Representatives to inform the Senate, that the House of Representatives have passed a joint resolution authorizing the Treasurer of state to employ some person to transact business therein specified ; which was read, and

On motion,

Ordered, That the rules of the Senate, so far as the same require the reading of a bill or joint resolution on three several days be dispensed with, and that the same be read a second and third time now.

Whereupon,

The same was read a second and third time.

Resolved, That the resolution be adopted.

Ordered, That Mr. Daniel inform the House of Representatives thereof

On motion by Mr. Drew,

Resolved, That the President of the Senate cause three copies of the Memorial to Congress, on the subject of taxing lands sold since the first day of July, 1820, to be made by the assistant secretary of the Senate, and transmit one to each of our Senators and Representative in Congress, with a request that they may be laid before Congress.

A message from the House of Representatives by Mr. Holman, a member :

Mr. President—I am instructed to inform the senate. that the house of representatives have passed an engrossed bill, entitled an act attaching part of the new purchase to Randolph county, to which they request the concurrence of the Senate ; and he withdrew.

The said bill having been read, and,

On motion,

Ordered, That the same be read a second time tomorrow.

Mr. Gregory gave notice that he would, on Monday next, or some subsequent day, introduce a bill to prevent individuals from obstructing, by dam or otherwise, any navigable stream within this state, that is not otherwise provided by law.

A message from the *House of Representatives* by Mr. Ross, a member :

Mr. President—I am instructed by the *House of Representatives*, to inform the *Senate*, that they insist upon their objections to the amendment made by the *Senate* to the bill from the *House of Representatives*, for the relief of Sheriffs, and that they request a committee of free conference on the part of the *Senate*, to confer with a similar committee appointed by the *House of Representatives*, on the subject matter of difference between the two houses, and have appointed *Messrs. Ross and Tipton* managers on their part ; and he withdrew.

On motion by Mr. Drew,

Resolved, That a committee of free conference be appointed on the part of the *Senate*, in compliance with the request of the *House of Representatives*, to adjust the subject matter of difference between the two houses, on the amendment made by the *Senate* to the bill from the *House of Representatives* for the relief of sheriffs.

Whereupon,

Messrs. Drew and Gray were appointed that committee.

Ordered, That Mr. Drew inform the *House of Representatives* thereof.

A message from the *House of Representatives* by Mr. Hay, a member :

Mr. President—I am instructed by the *House of Representatives* to lay before the *Senate*, articles of impeachment preferred against Jacob Brookhart, a Justice of the Peace for the county of Clark ; and he withdrew.

STATE OF INDIANA, Ss.

ARTICLES of impeachment against Jacob Brookhart, one of the justices of the peace for Jeffersonville township, in the county of Clark, and state aforesaid, preferred by the House of Representatives of said state, and exhibited to the Senate thereof.

Article 1. That the said Jacob Brookhart, an acting justice of the peace for Jeffersonville township, in the county of Clark and state aforesaid, and the said Jacob living and residing within the said township, has been and is guilty of mal-administration in his said office of justice of the peace, to wit: at the county of Clark aforesaid, and within the said state.

Specification 1. That the said Jacob Brookhart, a justice of the peace as aforesaid, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and nineteen, at the county of Clark and within the state aforesaid, while acting as such justice, and by virtue of, and under color of his said office, did wilfully, corruptly, and in violation of his duty as such justice, forcibly take, arrest and carry out of this state, a certain man of color, named Isaac Crosby, without first establishing any claim to the said Isaac, against the form of the statute of this state, entitled "an act to prevent man stealing," approved December 30th, 1816, and against the peace and dignity of the state of Indiana.

Specification 2. That the said Jacob Brookhart, justice of the peace as aforesaid, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and nineteen, at the county of Clark, and in the state aforesaid, while acting as such justice, by virtue of, and under color of his said office, did wilfully aid and abet the unlawful and forcible arrest of one Isaac Crosby, a man of color, with a design to take him the said Isaac Crosby from and out of said state, without first establishing any claim to the said Isaac, under the laws of the state of Indiana, or according to the laws

of the United States, against the consent of the said Isaac, contrary to the form of the statute in such cases made and provided, entitled "an act to prevent man stealing," approved December 30th, 1816, and against the peace and dignity of the state of Indiana.

Secification 3. That the said Jacob Brookhart, on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and nineteen, at Charlestown township, at the county of Clark and state aforesaid, then and still being an acting justice of the peace for the county of Clark and state aforesaid, and resident in the Jeffersoville township, and not having a residence in Charlestown township, (according to the provisions of the constitution and laws of Indiana,) did, on the day and year last aforesaid, knowingly, wilfully and corruptly, and without any proper authority, issue a warrant under his hand, directed to a Mr. Hughes, as constable of Jeffersonville township, commanding him forthwith to bring one Isaac Crosby, a man of color, before him the said justice, which said warrant was so issued by the said justice, contrary to law, (he not then being within the township called Jeffersonville township, where he the said justice was cormorant and had his residence and with an intent to aid and abet the unlawful taking, arresting and carrying out of the state of Indiana, the said Isaac Crosby, a man of color, against the will of the said Isaac, without first having established any claim to the said Isaac, and without any other person having first established any claim to the said Isaac, under the laws of the state of Indiana, or under the laws of the United States, in violation of his duty as a justice of the peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

WILLIAM GRAHAM,

Speaker of the House of Representatives.

On motion by Mr. Harrison,

Resolved, That a committee be appointed, to prepare rules and regulations for conducting the trial of Jacob Brookhart, a justice of the peace for Clark county, who now stands impeached for a misdemeanor in office ; and that said committee appoint a suitable place and a convenient time for the commencement of said trial.

Whereupon,

Messrs. Harrison, Daniel, Drew and Bartholomew were appointed that committee.

On motion by Mr. Daniel,

Resolved, That the managers on the part of the house of representatives be requested in all cases of Impeachment, to make a brief or briefs of the laws upon which they rely ; and that the party impeached be requested to furnish the like brief in his defence, by himself or counsel.

On motion by Mr. Bartholomew.

Resolved, That the Secretary of state be requested to lay before the Senate, a statement of the census of the different counties throughout the state, and say whether the returns were officially made or otherwise; and from those counties from which no returns are received to furnish a statement given for member of Congress, in each of said counties, at the general election in August last.

Ordered, That Mr. Bartholomew be a committee to make the above request.

A message from the House of Representatives by Mr. Sullivan of Knox, a member.

Mr. President—I am authorised to inform the Senate that the house of representatives have concurred in the report of the committee of conference on the amendment made by the House of Representatives, to the memorial to Congress, praying the privilege of taxing certain lands, disagreed to by the senate ; and he withdrew.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that the House of Representatives have passed an engrossed bill, entitled an act divorcing Ephraim Dukes, junr. from his wife Martha Dukes, which originated in the Senate, without amendment.

They have also adopted a joint resolution on the subject of voting, which originated in the Senate, with an amendment.

They have also passed an engrossed bill, entitled an act providing for proceedings in law and equity against corporations, in which bill and amendment they request the concurrence of the Senate; and he withdrew.

The Senate immediately proceeded to consider the amendment made by the House of Representatives to the joint resolution from the Senate, on the subject of voting, and,

Mr. Gray moved to concur in the amendment; which motion was decided in the negative.

On motion by Mr. Cotton,

Resolved, That the Senate disagree to the amendment.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

The engrossed bill from the house of representatives providing for proceedings in law and equity, against corporations, was read the first time—and,

Mr. Drew moved to postpone the farther consideration thereof indefinitely, which was decided in the negative.

On motion by Mr. Cotton,

Ordered, That the said bill be referred to the committee on banks, with leave to report thereon.

On motion,

Ordered, That the senate adjourn till to-morrow morning nine o'clock. And the senate adjourned.

Saturday Morning, Dec. 16, 1820.

Senate assembled pursuant to adjournment.

A message from the house of representatives, by Mr. Sullivan of Knox, a member :

Mr. President—I am authorised to inform the senate that the house of representatives have receded from the amendment made in the house of representatives, to the resolution from the senate, regulating the mode and manner of voting, and he withdrew.

Mr. Slaughter from the committee for enrolled bills, reported that they did on yesterday present to his Excellency the Governor, for his approval and signature,

An act for the relief of George White on the subject of a ferry.

Mr. Harrison from the committee appointed for that purpose, submitted the following report to wit :

Your committee appointed to prepare rules and regulations for the trial of Jacob Brookhart, justice of the peace of Clark county, who stands impeached by the House of Representatives, for maladministration in office, have had the subject referred to them under consideration, and respectfully submit the following resolution, viz :

Resolved, That the President of the senate be and he is hereby directed to issue a writ of venire facias, directed to the serjeant at arms, commanding him to summon Jacob Brookhart, to appear before the senate, as a court of impeachment, for the trial of high crimes and misdemeanors, on a day in said writ to be named, to answer an impeachment exhibited against him by the house of representatives, and also on the application of the managers appointed by the house of representatives to conduct the impeachment aforesaid, to issue process; or on the application of the said Jacob Brookhart, respectively to require the attendance of such witnesses as either of the parties may judge necessary.

Resolved, That Thursday the 21st. inst. will be a

suitable and convenient time for the commencement of the trial of said impeachment.

Resolved, That the President of the senate, shall preside in said court of impeachment, and that all questions shall be put through him, they first having been reduced to writing by the member proposing them.

On motion by Mr. Harrison,

Resolved, That the senate concur in the above report.

Ordered, That Mr. Harrison inform the house of representatives thereof.

The senate according to order resolved itself into a committee of the whole, on the bill relative to counselors and attorneys at law in this state, Mr. Cotton in the chair; and after some time spent therein, Mr. President resumed the chair, and reported the bill to the senate, with sundry amendments.

On motion,

Resolved, That the committee have leave to sit again.

The engrossed bill from the house of representatives attaching part of the new purchase to the county of Randolph, was read a second time to-day and,

On motion,

Ordered, That the same be referred to a committee of the whole house and made the order of the day for Monday next.

The bill for the formation of a new county out of the counties of Franklin, Wayne and Fayette, was taken up in committee of the whole, Mr. Slaughter in the chair, and after some time spent therein, the committee rose, and Mr. President reported the bill to the senate with several amendments, and

On motion,

Ordered, That it lie on the table.

The following communication was received from the secretary of state.

SECRETARY'S OFFICE. }

December 16, 1820. }

The Honorable,

the President of the Senate.

SIR—In obedience to a resolution of your honorable body, I herewith transmit a transcript of the returns of the census made to this office. Without particularising the counties, I might be justifiable in stating that but few of the returns, can be said to be strictly official. From the county of Wayne, I have been informed that but five of the townships have been returned, when there should be seven. Those two are said to contain 755 votes.

From the returns of the Congressional election it appears that Wayne gave 1785 votes. I have been thus particular, as respects this county, from the request of the bearer of the returns.

Accept the assurances, with which I have the honor to be your obedient servant.

R. A. NEW.

On motion by Mr. Harrison,

Resolved, That the above communication, with the accompanying document, be referred to the committee on the apportionment of representation.

Mr. Slaughter from the committee for enrolled bills reported that they had compared the enrolled with the engrossed joint resolution, authorising the treasurer to employ some person to transact business therein specified and find the same truly enrolled.

A message from the house of representatives by **Mr. Ross**, a member :

Mr. President—The Speaker of the house of representatives having signed a joint resolution, authorising the treasurer to employ some person to transact business therein specified, I am instructed to lay the same before the senate for the signature of their President; and he withdrew.

The President having signed the same, it was hand-

ed to the committee for enrolled bills, to lay the same before the Governor for his approbation and signature.

On motion,

Resolved, That the serjeant at arms be now called and sworn into office.

The serjeant at arms being called was sworn into office by David Craig Esq.

On motion by Mr. Bartholomew,

The bill from the house of representatives entitled an act to repeal an act, entitled an act to amend an act entitled an act subjecting real and personal property to execution, approved 18th January 1818, was taken up and,

On motion by Mr. Drew,

Resolved, That the farther consideration thereof be postponed until Monday next.

On motion,

Ordered, That the senate adjourn until this afternoon, two o'clock.

And the senate adjourned.

Saturday Afternoon two o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter from the committee for enrolled bills, reported that the committee did on this day present to his Excellency for his approval and signature,

A joint resolution, authorising the treasurer to employ some person to transact business therein specified.

A message from the Governor by W. H. Lilly Esq.

Mr. President—I am instructed by his Excellency, the Governor to lay before the senate a communication in writing ; and he withdrew ;

To the Senate and House of Representatives.

During the session of the Convention, in eighteen hundred and sixteen, a citizen of Harrison county contracted with that body to furnish a convenient dwelling house and suitable out buildings, for the use of the Ex-

ective of the state, so long as Corydon should remain the temporary seat of its government.

In consequence of those conveniences not having been provided, the tenements of another individual have been rented, and occupied during two years past, and the consideration for the use of such property has been liquidated in part by the party bounden in the contract to which allusion has been made.

It is submitted to the General Assembly, whether provision shall be made, which under any contingency shall secure me against personal liability on account of the occupation of the said tenement, as well for the time past, as the residue of the term, during which I may continue in the present office.

JONATHAN JENNINGS.

On motion by Mr. Slaughter,

Ordered, That the above communication be referred to a select committee with leave to report thereon by bill or otherwise.

Whereupon,

Messrs. Slaughter, Polke and Cotton, were appointed that committee.

On motion,

The bill for the formation of a new county out of the counties of Wayne, Randolph and Fayette, was taken up and,

On motion,

Ordered, That the same be engrossed for a third reading on Monday next.

Mr. Drew from the select committee to whom was referred the petition of Jacob Cutler and others praying for a new county out of the counties of Wabash and Delaware reported a bill for that purpose—and,

On motion,

Ordered, That the same be read a second time on Monday next.

On motion,

Ordered, That the Senate adjourn until Monday morning nine o'clock.

And the Senate adjourned.

Monday Morning December 18, 1820.

Senate assembled pursuant to adjournment.

Mr. Slaughter from the committee for enrolled bills, reported that they had compared the enrolled with the engrossed bill, entitled an act divorcing Ephraim Dukes junr. from his wife Martha Dukes, and find the same truly enrolled.

Mr. Slaughter asked and obtained leave to introduce a bill to provide for printing and distributing the laws and journals of the present session of the General Assembly; which was read and,

On motion,

Ordered, That the said bill be read a second time to-morrow.

Mr. Daniel obtained leave to introduce a bill authorising the establishment of fire companies; which was read, and

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Gregory, according to previous notice obtained leave to introduce a bill to attach part of the new purchase to Monroe county; which was read and,

On motion,

Ordered, That the same be read a second time to-morrow.

Mr. Drew from the joint committee appointed for that purpose, obtained leave to introduce a bill, supplementary to an act, entitled an act subjecting real and personal property to execution, approved January 7th, 1818; which was read and,

On motion,

Ordered, that the same be read a second time to-morrow.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the House of Representatives, having signed an enrolled bill entitled an act divorcing Ephraim Dukes junr. from his wife Martha Dukes, I am instructed to lay the same before the Senate for the signature of their President ; and he withdrew.

The bill from the House of Representatives attaching part of the new purchase to the county of Randolph, was taken up in committee of the whole, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, and Mr. President reported the bill to the Senate, without amendment.

On motion,

Ordered, That the same be read a third time now ; and the bill having been read a third time.

Resolved, That the bill pass, and that the title thereof be so amended as to read, an act extending the boundaries of Randolph county.

Ordered, That Mr. Baird inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill from the House of Representatives to repeal an act entitled an act, defining seals to be affixed to instruments of writing and for other purposes, was read a second time to-day—and,

Mr. Drew moved to postpone the further consideration thereof until the first Monday in December next, which was decided in the negative.

On motion by Mr. Drew,

Ordered, That the same be referred to a select committee, with leave to report thereon,

Whereupon,

Messrs. Drew, Daniel and Cotton were appointed that committee.

The engrossed bill for the formation of a new county out of the counties of Wayne, Franklin and Fayette, was read a third time, and ordered to lie on the table.

On motion by Mr. Drew,

Ordered, That forty copies of the bill supplementary to the act entitled an act, subjecting real and personal property to execution, be printed for the use of the Senate.

The bill for the formation of a new county, out of the counties of Delaware and Wabash, was read a second time to day—and,

On motion,

Ordered. That the same be committed to a committee of the whole house and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives, to repeal an act entitled an act to amend an act entitled an act subjecting real and personal property to execution, approved January 18, 1818, was taken up—and,

On motion,

Ordered, That the farther consideration thereof be postponed till to-morrow.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Monday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by H. P. Thornton, assistant clerk.

Mr. President—I am instructed to inform the senate that the house of representatives have passed an engrossed bill, which originated in the senate, entitled an act providing for running and marking the state line be-

tween the states of Ind. and Ill. with sundry amendments, in which they request the concurrence of the senate; and he withdrew.

On motion by Mr. Drew,

Ordered, That the bill with its amendments lie on the table.

A message from the house of representatives, by Mr. Holman, a member :

Mr. President—I am instructed to inform the senate that the house of representatives have concurred in the amendment made to the title of the bill from the house of representatives attaching part of the new purchase to the county of Randolph ; and he withdrew

Mr. Slaughter, from the committee for enrolled bills, reported, that they did on this day present to his Excellency for his approval and signature, an enrolled bill, entitled an act divorcing Ephraim Dukes, junr. from his wife Martha Dukes.

On motion,

Ordered, That the senate adjourn until to-morrow morning 9 o'clock.

And the senate adjourned.

Tuesday Morning, December 19, 1820.

Senate assembled pursuant to adjournment.

A message from the Governor by Mr. Lilly, his private secretary :

Mr. President—The Governor did on this day approve and sign an act divorcing Ephraim Dukes, junr. from his wife Martha Dukes.

On motion by Mr. Brew,

Ordered, That the engrossed bill for the formation of a new county out of the counties of Wayne, Franklin and Fayette be now taken up and acted on.

Resolved, That the said bill pass, and that the title thereof be an act for the formation of a new county out

of the counties of Franklin, Wayne and Fayette, and to enlarge the county of Wayne.

Ordered, That Mr. Drew inform the house of representatives thereof, and request their concurrence in the amendment to the title.

The bill for the apportionment of the senators and representatives within this state, which was made the order of the day for yesterday, was taken up in committee of the whole. Mr. Gray in the chair, and after some time spent therein, the committee rose, and Mr. President resumed the chair and reported the bill to the senate with an amendment thereto; which amendment having been concurred in,

On motion by Mr. Harrison,

Ordered, That the bill be recommitted to a select committee with leave to report thereon.

Whereupon,

Messrs. Harrison, Polke, Bartholomew, Gregory, Gray and Drew were appointed that committee.

On motion by Mr. Daniel,

Resolved, That a committee be appointed on the part of the senate, to act with a similar committee, which may be appointed on the part of the house of representatives, to enquire into the expediency of adding the counties formed at this session to the present judicial circuits of this state, and the propriety of giving two terms in the year instead of three.

Whereupon,

Messrs. Daniel and Drew were appointed that committee.

Ordered, That Mr. Daniel inform the house of representatives thereof.

The bill for the formation of a new county out of the counties of Delaware and Wabash, was, according to order, taken up in committee of the whole, Mr. Daniel in the chair, and after some time spent therein, the committee rose, and Mr. President reported the bill to the

senate with sundry amendments ; to which amendments the senate concurred.

On motion,

Ordered, That the bill lie on the table.

The bill attaching part of the new purchase to the county of Monroe, was read a second time to-day, and,

On motion,

Ordered, That the bill lie on the table.

The bill providing for printing and distributing the laws and journals of the present session of the General Assembly, was read a second time to day, and,

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for this day.

The bill authorizing the establishment of fire companies; was read a second time to day, and,

On motion,

Ordered, That the bill be considered as engrossed and read a third time on to-morrow.

The bill from the house of representatives, to repeal the act, entitled an act to amend the act, entitled an act subjecting real and personal property to execution, was taken up, and,

Resolved, That the bill pass, with an amendment.

Ordered, That the assistant secretary inform the house of representatives thereof, and request their concurrence in the amendment.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Tuesday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

On motion by Mr. Daniel,

Resolved, That a committee be appointed on the part

of the senate, to act with a similar committee, which may be appointed on the part of the house of representatives, to enquire into the expediency of laying out two public roads in the eastern section of this state; two in the centre; and two in the western section of this state, and enquire into the expediency of opening the same by an appropriation of the three per cent fund; with leave to report to their respective houses.

Whereupon,

Messrs. Daniel, Drew and Slaughter were appointed that committee.

Ordered, That Mr. Daniel inform the house of representatives thereof.

A message from the House of Representatives by Mr. Thornton, their assistant clerk:

Mr. President—The house of representatives have concurred in the amendment made by the senate to the engrossed bill, entitled an act to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal property to execution, approved January 18th, 1818.

The bill to provide for printing and distributing the laws and journals of the present session of the General Assembly, was according to order, taken up in committee of the whole, Mr. Cotton in the chair, and after some time spent therein, the committee rose and Mr. President reported the bill to the senate without amendment.—On motion,

Ordered, That the committee have leave to sit again.

Mr. Harrison, from the committee to whom was re-committed the bill for the apportionment of senators and representatives within this state, reported the same with amendments; which were read—and—On motion,

Ordered, That so much of the rules of the senate as require the reading of a bill or joint resolution on three several days be dispensed with, and that the same be read a second time now, as amended, and the same having been read a second time,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

On motion,

The senate, according to order, resolved itself into a committee of the whole on the bill last named, Mr. Baird in the chair, and after some time spent therein, the President resumed the chair, and reported the bill with several amendments.

On motion,

Ordered, That the committee have leave to sit again.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The following resolution has been adopted by the house of representatives :

Resolved, That a committee be appointed on the part of this house to act with a similar committee appointed on the part of the senate, to enquire into the expediency of attaching the counties formed at this session to the present judicial circuits of this state, and the propriety of giving two terms in the year instead of three ; and that the house of representatives have appointed messrs. Ross and Sullivan of Knox a committee on their part ; and he withdrew.

On motion,

Ordered, That the bill for the formation of a new county out of the counties of Delaware and Wabash be re-committed to the committee of the whole, and made the order of the day for this day.

The senate, according to order, resolved itself into a committee of the whole on the bill last named, Mr. Daniel in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with sundry amendments, which amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

And the Senate adjourned.

Wednesday Morning, December 26, 1820.

Senate assembled pursuant to adjournment.

The engrossed bill for the formation of a new county out of the counties of Delaware and Wabash, was, according to order, read a third time to-day—and,

Resolved, That the bill pass, and that the title thereof be an act for the formation of a new county out of the counties of Delaware and Wabash.

Ordered, That Mr. Gregory inform the house of representatives thereof, and request their concurrence therein

The engrossed bill for the establishment of fire companies was read a third time to-day.

Resolved, That the bill pass, and that the title thereof be an act authorizing the establishment of fire companies.

Ordered, That Mr. Daniel inform the house of representatives thereof, and request their concurrence therein.

On motion,

The senate resumed, as in committee of the whole, the consideration of the bill for the apportionment of senators and representatives within this state, Mr. Baird in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with sundry amendments.

On motion by Mr. Harrison,

Resolved, That the senate concur in all the amendments made by the committee of the whole to the said

bill, excepting the amendment which goes to give the district south of White river three senators and five representatives.

Mr. Harrison moved to concur in the amendment excepted by the above resolution, and the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Gregory and Harrison—6

Those who voted in the negative were,

Messrs. Drew, Gray, Polke and Slaughter—4.

And so it was decided in the affirmative.

Mr. Drew submitted the following amendment, viz : to strike out all that part of the bill which refers to senators in Wayne, Randolph, Fayette and Union counties, and insert the following : “ the counties of Wayne, Randolph and Union shall form one senatorial district and be entitled to two senators ; and that the county of Fayette shall form one senatorial district, and be entitled to one senator ; which was decided in the negative.

Mr. Drew submitted the following resolution :

Resolved, That the bill under consideration be referred to a select committee with instructions so to amend it as to give a representative to every 575 voters, and one senator for every 1300 voters.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Drew and Harrison—2.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Gray, Gregory, Polke and Slaughter—8.

And so it was decided in the negative.

On motion by Mr. Slaughter,

The following amendment was unanimously adopted, and ordered that the amendment be added to the last section, viz :

“ That the counties of Wabash and Delaware, when organized, shall be entitled to one representative each, and shall compose one senatorial district and be entitled to one senator.

Mr. Gray submitted the following amendment, viz : That so much of the bill as relates to the representation of Dearborn be so amended as to insert four in place of three representatives, which was rejected.

Mr. Gray submitted the following resolution, viz :

Resolved, That the bill under consideration be re-committed to a select committee, with instructions to amend the bill agreeably to a ratio of 700 for each representative, and 1800 to each senator throughout the state, and that each judicial circuit be considered separately in the apportionment.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
Messrs. Drew, Gray and Polke—3.

Those who voted in the negative were,
Messrs. Baird, Bartholomew, Cotton, Daniel, Gregory, Harrison and Slaughter—7.

And so the resolution was rejected.

On motion,

Ordered, That the said bill be engrossed for a third reading to day.

On motion by Mr. Slaughter,

Ordered, That the committee to whom was referred the engrossed bill from the house of representatives, providing for proceedings in law and equity against corporations, be discharged from the farther consideration thereof.

Mr. Harrison moved to postpone the farther consideration thereof indefinitely, which was decided in the negative.

On motion,

Ordered, That the said bill be read a second time now. The said bill having been read a second time,

On motion by Mr. Daniel,

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for this day.

The senate, according to order, resolved itself into a committee of the whole on the last mentioned bill, Mr. Gregory in the chair, and after some time spent therein, Mr. President resumed the chair and reported the bill to the senate without amendment.

On motion,

Ordered, That the committee of the whole have leave to sit again.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Wednesday Afternoon 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter obtained leave to introduce a bill to provide for arrest in certain cases, and a bill to repeal part of an act entitled an act regulating the inspection of flour, beef and pork, which were severally read the first time; and,

On motion,

Ordered, That they be severally read a second time to-morrow.

Mr. Daniel obtained leave to hand in the petition of Jacob Reeder and others praying for attaching part of the counties of Daviess and Martin to Dubois county; which was read and,

On motion by Mr. Daniel,

Ordered, That the same be referred to a select committee with leave to consider and report thereon.

Whereupon,

Messrs. Daniel, Polke and Gregory were appointed that committee.

On motion by Mr. Slaughter,

The Senate resumed as in committee of the whole, the consideration of the bill providing for printing and distributing the laws and journals of the present session of the General Assembly, Mr. Cotton in the chair, and after some time spent therein, the committee rose; Mr. President resumed the chair, and reported the bill to the Senate, with sundry amendments.

The amendments having been concurred in ;

On motion,

Ordered, That the bill be engrossed for a third reading on to morrow.

The engrossed bill for the apportionment of Senators and Representatives in this state, was according to order read a third time to-day.

Mr. Gray submitted the following amendment viz :

That one representative be stricken from the county of Switzerland and the same be added to the representation for Dearborn county, which amendment the President decided to be out of order, and the amendment was not considered.

Resolved, That the bill pass, and that the title thereof be,

An act for the apportionment of Senators and Representatives within this state.

Ordered, That Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

A message from the House of Representatives by Mr. Tipton, a member :

Mr. President—The House of Representatives have passed an engrossed bill for the formation of a new county out of the counties of Jackson and Delaware, and request the concurrence therein ; and he withdrew.

The bill was read the first time and,

On motion,

Ordered, that the same be read a second time to morrow.

Mr. Drew from the committee of free conference on the part of the Senate, on the subject matter of difference between the two houses, to the bill for the relief of sheriffs, reported that the joint committee had had the same under consideration, and had agreed to amend the sixth section of the said bill by adding to the same the following words after the word "same"

Where the purchase money has been paid and no title made by the sheriff who sold the same; and that the Senate shall recede from their objections to said section when so amended.

On motion by *Mr. Drew*,

Resolved, That the Senate concur in the above report.

Ordered, That *Mr. Drew* inform the House of Representatives thereof.

A message from the House of Representatives by *Mr. Gibson*, a member :

Mr. President—The House of Representatives have passed an engrossed bill restricting the issuing of fee bills in certain cases and for other purposes, in which they request the concurrence of the Senate.

The bill having been read the first time.

On motion,

Ordered, That the same be read a second time on to-morrow.

A message from the House of Representatives by *H. P. Thornton*, assistant clerk.

Mr. President—The House of Representatives have appointed a committee to act with a similar committee, which has been appointed on the part of the Senate, to inquire into the expediency of laying out two public roads in the eastern section of this state, two in the centre and two in the western section of the state, and also to enquire into the expediency of opening the same by an appropriation of the three per cent fund, with leave to report thereon; and have appointed

Messrs. Ross, Powell and Robb that committee,

They have also passed the following engrossed bills
viz :

An engrossed bill to amend an act entitled an act supplemental to an act for opening public roads and highways.

An engrossed bill providing for the collection of fines in certain cases, which originated in the House of Representatives—and also,

An engrossed bill establishing the seat of justice of the county of Wayne, which originated in the Senate, with amendments, in which bills and amendments they request the concurrence of the Senate; and he withdrew.

On motion by Mr. Baird,

The amendments made by the House of Representatives to the last mentioned bill was considered, and,

Resolved, That the amendments be adopted.

Ordered, That Mr. Baird inform the House of Representatives thereof.

The two bills last reported from the House of Representatives, were taken up and read the first time and,

On motion,

Ordered, That they severally pass to a second reading to-morrow.

On motion,

Ordered, That the senate adjourn until to-morrow morning 9 o'clock.

And the senate adjourned.

Thursday Morning, December 21, 1820.

Senate assembled pursuant to adjournment.

Mr. Drew reported, that they have compared, and found duly enrolled the resolution entitled a joint resolution of the General Assembly of the state of Indiana, on the subject of voting.

Mr. Drew asked and obtained leave to hand in the petition of Elijah Fisher late sheriff of Wayne county, praying to be released from the payment of the sum of forty-four dollars, which was read and,

On motion by Mr. Drew,

Ordered, That the petition be referred to a select committee with leave to consider and report thereon.

Whereupon,

Messrs. Drew and Baird were appointed that committee.

Mr. Bartholomew gave notice that he would on Saturday next or some subsequent day of the present session, ask leave to bring in a bill to amend an act fixing the salaries of certion officers, and for other purposes, approved December 27, 1816.

On motion by Mr. Gregory,

Ordered, That the bill attaching part of the new purchase to Monroe county be now taken up.

The bill was accordingly taken up and read a second time and

On motion,

Ordered, That the same be committed to a committee of the whole house and made the order of the day for to-morrow.

The bill providing for printing and distributing the laws and journals of the present session of the General Assembly, was read a third time.

Resolved, That the bill pass and that the title thereof be an act providing for printing and distributing the laws and journals of the present General Assembly.

Ordered, That Mr. Slaughter inform the House of Representatives thereof and request their concurrence therein.

The bill supplementary to an act entitled an act subjecting real and personal property to execution, approved January 7th, 1818, was taken up in committee of the whole, Mr. Polke in the chair, and after some time

spent therein, Mr. President resumed the chair and reported the bill to the Senate with sundry amendments.

Mr. Harrison moved to concur generally in the amendments made to the bill while in committee of the whole, and

Mr. Cotton called for a division of each amendment.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Thursday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Thornton their assistant clerk :

Mr. President—The House of Representatives have passed an engrossed bill to facilitate prosecutions for perjury, in which they request the concurrence of the Senate; and he withdrew.

The bill having been read the first time and,

On motion,

Ordered, That the bill pass to a second reading on to morrow.

A message from the house of representatives, by Mr. Ross, a member :

Mr. President—The Speaker of the House of Representatives having signed the following bills, entitled acts, I am instructed to lay the same before the Senate, for the signature of their President viz : an act to repeal an act entitled an act, to amend an act entitled an act, subjecting real and personal property to execution, approved January 18, 1818, and an act extending the boundary line of Randolph county; also a joint resolution of the General Assembly of the state of Indiana, on the subject of voting. They have also passed an engrossed bill entitled an act incorporating New-Albany

school, in which they request the concurrence of the House of Representatives ; and he withdrew.

The President having signed the two enrolled bills, and the joint resolution, last named, they were severally handed to the committee for enrolled bills, to be laid before his Excellency the Governor for his approbation and signature.

The engrossed bill last announced from the House of Representatives was read and,

On motion,

Ordered, That the same pass to its second reading on to morrow.

On motion by Mr. Harrison,

Resolved, That the Senate now resolve itself into a court of impeachmet for the trial of Jacob Brookhart, a justice of the peace for Clark county, who stands impeached by the House of Representatives, for malfeasance in office, and that the House of Representatives be informed thereof, and the managers on the part of said impeachment be requested to attend at the Senate chamber for the prosecution of the same.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

And thereupon,

The Senate organized themselves into a court for the trial of said impeachment,

And the Court adjourned until to-morrow morning 10 o'clock.

The Senate proceeded to consider the amendments made by the committee of the whole, to the bill supplementary to an act subjecting real and personal property to execution, approved January 7th, 1818.

The amendments were separately considered, and concured in, and

Mr. Cotton moved to strike out the word fifteen, in the eleventh line of the first section and insert the word twelve.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
Messrs. Bartholomew, Cotton, Gray, Gregory, and Slaughter—5.

Those who voted in the negative were,
Messrs. Baird, Daniel, Drew, Harrison and Polke—5.

The votes being equally divided, the President voted in the negative, and so the amendment was lost.

Mr. Cotton moved further to amend the bill by striking out the word eighteen, in the thirteenth line of the first section, and inserting in lieu thereof, the word fifteen.

And the ayes and nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Bartholomew, Cotton, Gray, Gregory and Slaughter—5.

Those who voted in the negative were,
Messrs. Baird, Drew, Daniel, Harrison and Polke—5.

The votes being equally divided, Mr. President voted in the negative and so the amendment was lost.

Mr. Slaughter moved further to amend the bill by adding an additional section as follows, viz :

11. *And be it further enacted*, That an act for the benefit of debtors, approved Dec. 28, 1818, be and the same is hereby repealed.

The ayes and nays being demanded by two members :

Those who voted in the affirmative were,
Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Gray, Gregory, Polke and Slaughter—9.

And in the negative, Mr. Harrison—1.

And so the amendment was adopted.

Mr. Cotton moved to postpone the farther consideration of the bill until the first day of June next.

The ayes and nays being demanded by two members :

Those who voted in the affirmative were,
Messrs. Cotton, Gray and Gregory—3.

Those who voted in the negative were,
Messrs. Baird, Bartholomew, Daniel, Drew, Harrison, Polke and Slaughter—7.

And so the motion was lost.

Mr. Slaughter from the committee, reported that they had examined and found duly enrolled, the bill entitled an act establishing the permanent seat of justice for the county of Wayne and for other purposes.

Mr. Gregory obtained leave to hand in the petition of Daniel Grant and others, praying that part of Jackson county might be stricken therefrom and attached to the county of Delaware.

On motion,

Ordered, That it lie on the table.

On motion,

Ordered, That the senate adjourn until to-morrow morning 9 o'clock ; to which time the several orders of the day are postponed.

And the senate adjourned.

Friday Morning, December 22, 1820.

Senate assembled pursuant to adjournment.

Mr. Baird gave notice that he would on to-morrow ask leave to introduce a bill to repeal the sixth section of an act authorizing a state medical society in this state.

Mr. Gregory obtained leave to introduce a bill preventing obstructions in navigable rivers in this state, which was read, and,

On motion,

Ordered, That the bill pass to a second reading to-morrow.

The engrossed bill, supplementary to an act, entitled an act subjecting real and personal property to execution, approved January 7th, 1818, was read a third time to-day—and,

Resolved, That the bill pass, and that the title thereof be an act supplementary to an act, entitled an act subjecting real and personal estates to execution, approved January 7th, 1818.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Daniel, Drew, Harrison and Polke—6.

Those who voted in the negative were,

Messrs. Cotton, Gray, Gregory and Slaughter—4.

Ordered, That Mr. Drew inform the house of representatives thereof and request their concurrence therein.

The engrossed bill reported from the House of Representatives, entitled an act incorporating New Albany school, was read a second time to day ; as also the engrossed bill, entitled an act supplementary to the act, entitled an act to incorporate Madison Academy, approved January 11, 1820—and,

On motion,

Ordered, That the bills severally pass to a third reading on to-morrow.

The engrossed bill from the house of representatives, entitled an act providing for the collection of fines in certain cases, was read a second time to-day—and,

On motion,

Ordered, That the bill be referred to a committee of the whole house and made the order of the day for to-morrow.

The engrossed bill from the house of representatives, entitled an act to facilitate prosecutions for perjury, was read a second time to-day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for Monday next.

The engrossed bill from the house of representatives entitled an act to amend an act, entitled an act supplementary to an act for opening public roads and highways, was read a second time—and,

On motion,

Ordered, That the bill lie on the table.

The engrossed bill from the house of representatives, entitled an act restricting the issuing of fee bills in certain cases and for other purposes, was read a second time to day—and;

On motion,

Ordered, That the bill be committed to a committee of the whole house, and made the order of the day for this day.

The senate again organized themselves into a court of impeachment for the trial of Jacob Brookhart, a justice of the peace &c. and adjourned until to-morrow morning ten o'clock.

The engrossed bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Jackson and Delaware, was read a second time to day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for Saturday next.

The bill for attaching part of the new purchase to Monroe county, was taken up in committee of the whole, Mr. Harrison in the chair, and after some time spent therein, the committee rose and Mr. President reported the bill to the senate, with several amendments; the amendments having been concurred in,

On motion,

Ordered, That the bill be engrossed for a third reading to-day.

The bill to repeal part of an act, entitled an act regulating the inspection of flour beef and pork, was read a second time—and,

On motion,

Ordered, That the same be engrossed for a third reading to day.

Mr. Slaughter, from the committee, reported that they did on this day present to the governor for his approval and signature the following enrolled bills, entitled acts, viz :

An act to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal property to execution, approved January 18. 1818.

And an act extending the boundary line of Randolph county.

Also a joint resolution of the General Assembly of the state of Indiana on the subject of voting.

The bill to provide for arrest in certain cases, was read a second time to-day—and,

On motion,

Ordered, That the same be engrossed for a third reading on to morrow.

On motion by Mr. Polke,

Resolved, That the committee of the whole be discharged from the further consideration of the bill relative to attornies and counsellors at law.

On motion by Mr. Polke,

Resolved, That the further consideration thereof be postponed indefinitely.

The following communication was received from the governor by Mr. Lilly, his private secretary :

To the Senate of Indiana.

In consequence of not having returned to the senate the act, entitled an act for the relief of George White, upon the subject of a ferry, within the time prescribed by the constitution, after its presentation for approval

and signature, it has necessarily become a law, and as such will be filed in the office of the secretary of state.

JONATHAN JENNINGS.

On motion,

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

And the Senate adjourned.

Friday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

The engrossed bill attaching part of the new purchase to Monroe county and for other purposes, was read a third time.

Resolved, That the bill pass, and that the title thereof be an act attaching part of the new purchase to Monroe county and for other purposes.

Ordered, that Mr. Gregory inform the house of representatives thereof, and request their concurrence therein.

The engrossed bill to repeal part of an act, entitled an act regulating the inspection of flour beef and pork, was read a third time.

Resolved, That the bill pass, and the title thereof be an act to repeal part of an act, entitled an act regulating the inspection of flour beef and pork.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

The engrossed bill from the house of representatives, entitled an act respecting the issuing of fee bills in certain cases, was taken up in committee of the whole, Mr. Gray in the chair, and after some time spent therein, Mr. President resumed the chair, and reported the bill to the senate with an amendment by striking it out from

the enacting clause; to which amendment the senate concurred.

Mr. Daniel moved further to amend the bill by inserting the following after the enacting clause, viz:—
 “That after the taking effect of this act, no suitor or suitors, whether plaintiff or plaintiffs, defendant or defendants to any suit, action or plaint in any court of this state, shall be subject to costs of any kind, provided final judgment be rendered in his favor; and that it shall be unlawful for any clerk or other officer to issue any execution, fee bill or other process for the collection of fees against any other person than against whom judgment appears to have been entered.

That no fee bill or other process for the collection of fees shall issue from any court in this state, until final judgment shall have been given, and that hereafter commission shall not be collected on fee bills, but the officer in favor of whom fees are taxed, shall allow the collecting officer five per cent out of the sum collected.”

On motion by Mr. Polke,

Resolved, That the further consideration of the bill be indefinitely postponed.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Drew, Harrison, Polke and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Daniel, Gray and Gregory—4.

A message from the House of Representatives by Mr. Sullivan of Jefferson, a member :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act to amend the act, entitled an act to license and regulate taverns, approved January 28th, 1820, and request the concurrence of the senate therein; and he withdrew.

The bill having been read.

On motion,

Ordered, That the bill be read a second time to-morrow.

The senate resumed, as in committee of the whole, the consideration of the engrossed bill from the house of representatives, entitled an act providing for proceedings in law and equity against corporations, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate with an amendment, by striking out the bill from its enacting clause, and inserting a substitute.

Mr. Daniel moved to concur in the amendment made in committee of the whole, and,

Mr. Cotton called for a division of the question as to striking out, and,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Daniel, Drew, Gray, Gregory, Harrison and Slaughter—7.

Those who voted in the negative were,

Messrs. Bartholomew, Cotton, and Polke—3.

And so the amendment by striking out from the enacting clause was concurred in.

On the question on concurring in the amendment by substituting,

Those who voted in the affirmative were,

Messrs. Daniel, Gray, Gregory, Harrison and Slaughter—5.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Cotton, Drew, and Polke—5.

The votes being equally divided, Mr. President gave the casting vote, and voted in the affirmative, and so the substitute was adopted.

On motion by Mr. Slaughter,

Ordered, That the bill be recommitted to a committee of the whole, and made the order of the day for to-morrow.

On motion by Mr. Harrison,

Resolved, That fifty copies thereof be printed for the use of the senate.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act for the formation of a new county out of the counties of Sullivan and Daviess, in which they request the concurrence of the senate ; and he withdrew.

The said bill having been read,

On motion,

Ordered, That the bill pass to a second reading to-morrow.

On motion,

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

And the Senate adjourned.

Saturday Morning, December 23, 1820.

Senate assembled pursuant to adjournment.

Mr. Baird, agreeably to previous notice, obtained leave to introduce a bill to repeal the sixth section of an act, entitled an act authorizing a state medical society in the state of Indiana, approved January 1st, 1819, which was read, and,

On motion,

Ordered, That it pass to a second reading on Monday next.

Mr. Bartholomew, agreeably to previous notice, obtained leave to introduce a bill to amend an act fixing

the salaries of certain officers and for other purposes ; which was read, and,

On motion,

Ordered, That the bill pass to a second reading on Tuesday next.

The engrossed bill to provide for arrest in certain cases, was read the third time to day.

Resolved, That the bill pass, and that the title thereof be an act to provide for arrest in certain cases.

Ordered, That Mr. Slaughter inform the house of representatives thereof and request their concurrence therein.

The engrossed bill from the house of representatives entitled an act supplementary to the act, entitled an act to incorporate Madison academy, approved January 11, 1820, was read a third time to day.

Resolved, That the bill pass.

Ordered, That Mr. Cotton inform the house of representatives thereof.

The engrossed bill from the house of representatives, entitled an act incorporating New Albany school, was read a third time to day.

Resolved, That the bill pass.

Ordered, that Mr. Bartholomew inform the house of representatives thereof.

The engrossed bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Sullivan and Daviess, was read a second time to day.

On motion,

Ordered, That the bill be committed to a committee of the whole house, and made the order of the day for Monday next.

Mr. Slaughter, from the committee, reported that they had compared and found duly enrolled the bill for the relief of sheriffs.

A message from the House of Representatives by Mr. Rose, a member :

Mr. President—The Speaker of the house of representatives having signed the enrolled bill, entitled an act for the relief of sheriffs, I am instructed to lay the same before the senate for the signature of their President; and he withdrew.

The President having signed the same, it was handed to the committee for enrolled bills, to be laid before the governor for his approbation and signature.

The senate again organized themselves into a court of impeachment for the trial of Jacob Brookhart, a justice of the peace, and the court now adjourned *sine die*.

The engrossed bill from the house of representatives entitled an act to provide for the collection of fines in certain cases, was taken up in committee of the whole, Mr. Cotton in the chair, and after some time spent therein, committee rose, and Mr. President resumed the chair and reported the bill to the senate without amendment.

And leave was given to sit again.

The engrossed bill from the House of Representatives entitled an act, for the formation of a new county out of the counties of Delaware and Jackson, was taken up in committee of the whole, Mr. Drew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the Senate with some amendments.

And leave to sit again was given.

The engrossed bill from the House of Representatives entitled an act to amend the act entitled an act, to license and regulate taverns, was read a second time, and

On motion,

Ordered, That the same be read a third time on Monday next.

On motion by Mr. Polke,

Resolved, that the record of the proceedings on the

impeachment preferred by the House of Representatives against Jacob Brookhart, be published with the journal of the senate and attached thereto as an appendix.

On motion,

Ordered, That the further services of the serjeant at arms, at the present session, be dispensed with.

Mr. Slaughter from the committee reported that they had compared and found duly enrolled, a bill entitled an act for the benefit of John De Pauw.

On motion,

Ordered, That the senate adjourn until 2 o'clock this afternoon.

And the senate adjourned.

Saturday Afternoon 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Gray gave notice, that he would on Monday next, or some subsequent day of the present session, ask leave to introduce a bill for the appropriation of a portion of the three per cent. fund to the opening of certain roads.

Mr. Slaughter from the committee reported that they had examined and found duly enrolled, the bill entitled an act arranging the boundary line between the counties of Washington and Scott.

On motion,

The bill providing for proceeding at law and equity against corporations, was ordered to lie on the table.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The House of Representatives have passed the following engrossed bills entitled acts viz :

An act for the better regulation of the town of Corydon.

An act amendatory to the several acts regulating the assessment and collection of revenue in this state—and,

An act to amend the act entitled an act, for the appointment of trustees to receive deeds for lots or land, given or purchased for the use of schools and meeting houses, approved January 1, 1820; in which several bills they request the concurrence of the Senate; and he withdrew.

The several engrossed bills last reported from the House of Representatives were severally read, and

On motion by *Mr. Cotton*,

Resolved, That the engrossed bill entitled an act, amendatory to the several acts regulating the assessment and collection of revenue in this state, be read a second time now.

And the same being read a second time,

On motion,

Ordered, That the bill be referred to a committee of the whole house and made the order of the day for Monday next.

On motion,

Ordered, That the two other bills last reported from the House of Representatives be severally read a second time on Monday next.

Mr. Drew from the select committee appointed to enquire into the expediency of altering the mode of transacting county business, reported that in the opinion of a majority of the committee it is inexpedient at the present session of the General Assembly to alter the present mode.

On motion by *Mr. Daniel*,

Resolved, That the Senate concur in the above report.

The ayes and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Drew, Gray, Harrison, and Polke—7.

Those who voted in the negative were,

Messrs. Baird, Gregory, and Slaughter—3.

A message from the Governor by Mr. Lilly, his private secretary :

Mr. President—The Governor did on this day approve and sign a joint resolution of the General Assembly of the state of Indiana on the subject of voting ; and he withdrew.

A message from the House of Representatives by Mr. Ross, a member :

The Speaker of the House of Representatives having signed the following enrolled bills entitled acts, I am directed to lay them before the Senate for the signature of their President viz :

An act for the benefit of John De Pauw.

An act establishing the permanent seat of justice for the county of Wayne and for other purposes—and,

An act arranging the boundary line between the counties of Washington and Scott ; and he withdrew.

The President having signed the same, they were severally handed to the committee for enrolled bills, to be laid before the Governor for his approbation and signature.

On motion,

Ordered, That the senate adjourn until Monday morning 9 o'clock. And the senate adjourned.

Monday Morning, December 25, 1820.

Senate assembled pursuant to adjournment.

Mr. Daniel agreeably to previous notice, obtained leave to introduce a bill amendatory to the act entitled an act for the relief of insolvent debtors, approved January 20th 1820, which was read and,

On motion,

Ordered, That the bill be read a second time to-morrow.

On motion by Mr. Gregory,

The bill from the House of Representatives entitled,

an act amendatory to the several acts, regulating the assessment and collection of revenue in this state, was taken up in committee of the whole, Mr. Baird in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the Senate with several amendments.

Mr. Drew moved to concur in the amendments generally.

And the amendments were concurred in, and are as follow viz :

1st. By adding the following to the second section of the bill : “ and there shall be also assessed annually for county purposes a tax on every male person above the age of twenty-one years, any sum not exceeding seventy five cents at the discretion of the commissioners of the proper county, and also all work oxen three years old and upwards, not exceeding twenty-five cents per head ; and all other horned cattle three years old and upwards not exceeding twelve and an half cents per head ; (excepting two cows for every family or householder to be free from tax) at the May term of the board of county commissioners, and to be collected in the same manner as other taxes.

And the second amendment was as follows :

Sec. 4. *Be it further enacted*, That the public printer is hereby authorized and required to print fifty copies of this act, to be distributed and filed in the clerk's office of the several counties in this state.

This act to take effect and be in force from and after its passage.

Mr. Baird moved to strike out seventy-five cents as a pole tax and insert in lieu thereof, fifty cents.

And the ayes and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Gray, Gregory, and Slaughter—8.

Those who voted in the negative were,

Messrs. Harrison, and Polke—2.

And so the amendment was adopted.

Mr. Gregory moved further to amend the amendment by striking out the words, "all other horned cattle three years old and upwards, not exceeding twelve and a half cents per head."

And the yeas and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Baird, Gregory, Harrison and Slaughter—4.

Those who voted in the negative were,

Messrs. Bartholomew, Cotton, Daniel, Drew, Gray, and Polke—6.

And so the amendment was rejected.

On motion,

The bill was read a third time.

Resolved, That the bill pass as amended.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

The bill to provide for proceeding at law and equity against corporations was,

On motion,

Again taken up in committee of the whole, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the Senate, without amendment.

And leave was given to sit again.

Mr. Slaughter reported that the committee for enrolled bills, did on the 23d instant present to the Governor for his approbation and signature,

An enrolled bill entitled an act for the relief of sheriffs.

A message from the house of representatives by Mr. Thornton, assistant clerk.

Mr. President—The House of Representatives have passed the following engrossed bills entitled acts viz :

An act appointing commissioners to lay off a town on

the site selected for the permanent seat of government.

An act to amend the act entitled an act, to exempt certain property from being subject to execution—and also,

A joint resolution of the General Assembly of the state of Indiana to promote education.

To which they request the concurrence of the Senate—and he withdrew.

The said bills and joint resolution were thereupon read and,

On motion,

Ordered, That they severally pass to a second reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

And the Senate adjourned.

Tuesday Morning, December 26, 1820.

Senate assembled pursuant to adjournment.

Mr. Daniel from the select committee to whom was referred the petition of sundry citizens of part of Daviess and Martin counties, praying to be attached to Dubois counties, reported that although the prayer of the petitioners appears reasonable, yet your committee are of opinion that it is inexpedient to grant the prayer of the petitioners at this session.

On motion by Mr. Daniel,

Resolved, That the Senate concur in the above report.

The engrossed bill from the House of Representatives entitled an act, to amend the act entitled an act to license and regulate taverns, approved January 28th, 1820, was read a third time, and on the question being shall the bill pass?

And the yeas and nays being demanded by two members:

Those who voted in the affirmative were,
Messrs. Daniel and Gray—2.

Those who voted in the negative were,
Messrs. Baird, Bartholomew, Cotton, Drew, Gregory, Polke and Slaughter—7.

And so the bill did not pass.

The engrossed bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Sullivan and Daviess, was taken up in committee of the whole, Mr. Slaughter in the chair, and after some time spent therein, the committee rose. Mr. President resumed the chair, and reported the bill to the senate with several amendments.

The amendments having been concurred in.

And on motion by Mr. Drew,

The bill was read a third time.

Resolved, That the bill pass as amended.

Ordered, That Mr. Polke inform the house of representatives thereof, and request their concurrence in the amendments.

The senate, according to order, resolved itself into committee of the whole, on the engrossed bill from the house of representatives, entitled an act to facilitate prosecutions for perjury, Mr. Harrison in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate without amendment.

And on motion by Mr. Cotton,

The bill was read a third time.

Resolved, That the bill pass.

Ordered, That Mr. Cotton inform the house of representatives thereof.

The engrossed bill from the house of representatives, entitled an act for the better regulation of the town of Corydon; the engrossed bill from the house of representatives, entitled an act to amend the act, entitled an act for the appointment of trustees to receive deeds for

lots or lands given or purchased for the use of schools or meeting houses, were read a second time—and,

On motion,

Ordered, That the bills severally pass to a third reading on to-morrow.

The engrossed bill from the house of representatives, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, was read a second time to-day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

The engrossed bill from the house of representatives, entitled an act to amend the act, entitled an act to exempt certain property from being subject to execution, was read a second time—and,

Mr. Daniel moved to postpone the farther consideration thereof indefinitely—and,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Gray, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Drew, Gregory and Polke—4.

And so the bill was indefinitely postponed.

The bill to amend the act fixing the salaries of certain officers and for other purposes, was read a second time to-day—and,

Mr. Polke moved to postpone the farther consideration thereof indefinitely.

And the Yeas and Nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Cotton, Daniel, Drew, Gregory, Harrison, Polke and Slaughter—8.

Those who voted in the negative were,

Messrs. Bartholomew and Gray—2.

And so the bill was indefinitely postponed.

The bill to repeal the sixth section of an act, entitled an act authorizing a state medical society in the state of Indiana, approved January 1st, 1819, was read a second time to day—and,

Mr. Drew moved to postpone the further consideration thereof indefinitely—and,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Drew, Gray, Harrison, Polke and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Cotton, Daniel and Gregory—4.

And so the bill was indefinitely postponed.

The senate, according to order, resolved itself into a committee of the whole on the bill preventing persons from obstructing navigable rivers, Mr. Daniel in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with an amendment by striking out the first section of the bill. The senate concurred in the amendment.

Mr. Polke moved to postpone the further consideration thereof indefinitely.

The Yeas and Nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Drew, Gray, Polke and Slaughter—7.

Those who voted in the negative were,

Messrs. Baird, Gregory and Harrison—3.

And so the bill was indefinitely postponed.

A message from the House of Representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have concurred in the amendments made by the senate to the

bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Sullivan and Daviess ; and he withdrew.

The bill to amend the act for the relief of insolvent debtors, approved January 20th, 1820, was read a second time to day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

The engrossed bill from the house of representatives, entitled an act providing for proceedings at law and equity against corporations, was again,

On motion,

Ordered, To be taken up in committee of the whole.

And the senate, according to order, resumed, in the committee of the whole, the consideration of said bill, Mr. Bartholomew in the chair, and after some time spent therein the committee rose ; and leave was given to sit again.

On motion,

Ordered, That the senate adjourn until 2 o'clock this afternoon.

And the senate adjourned.

Tuesday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed, with some amendments, the engrossed bill from the senate, entitled an act supplementary to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off ; and have concurred in part of the amendments made by the senate to the engrossed bill from the

house of representatives, entitled an act amendatory to the several acts regulating the assessment and collection of revenue in this state, and have refused to concur in the residue ; and he withdrew.

On motion,

The amendments to the first mentioned bill were taken up and considered ; which amendments were as follows, viz : Sec. 3. No county treasurer shall receive more than two per cent on monies arising from the sales of lots at any county seat, and not more than three per cent on all other monies that pass through his hands as county treasurer.

On motion by Mr. Baird,

Resolved, That the senate concur in the amendment made by the house of representatives to the bill under consideration so far as to allow as a compensation on receipts for sales of lots at any county seat to the county treasurer, two per cent, and that the senate refuse to concur in the residue of the amendment.

Ordered, That the assistant secretary of the senate inform the house of representatives thereof.

On motion,

The senate proceeded to consider the objections made by the house of representatives to concurring in the amendments made by the senate to the engrossed bill from the house of representatives, entitled an act amendatory to the several acts regulating the assessment and collection of revenue in this state—and

Resolved, That the senate recede from that part of their amendment which assesses a tax on all horned cattle three years old and upwards, not exceeding twelve and an half cents per head, excepting two cows for every family or householder, to be free from taxation ; and insist on the amendment requiring the public printer to print fifty copies of this act, to be distributed and filed in the clerks' offices of the several counties in this state.

Ordered, That the assistant secretary inform the house of representatives thereof.

The senate resumed, in committee of the whole, the consideration of the engrossed bill from the house of representatives, entitled an act to provide for proceeding at law and equity against corporations, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, and Mr. President resumed the chair and reported the bill to the senate with sundry amendments.

The senate concurred in the amendments made to said bill in committee of the whole.

Mr. Daniel moved further to amend the bill by inserting the following after the eleventh section, to wit:—
“That after the taking effect of this act, it shall not be lawful for any bank in this State to issue or re-issue any bank note or notes, bill or bills, until the President and Directors of such bank shall enter into bond with security in the penal sum of twenty-five thousand dollars, conditioned that such bank will resume specie payment on the date thereof, and continue such payment without intermission, which bond shall be drawn payable to the governor, and the security shall be approved by him; which bond shall be lodged in the secretary’s office for the benefit of all who may be injured—and should any bank violate the provisions of this act, the President and Directors thereof shall be fined in the sum of one thousand dollars each for every such offence.”

The Yeas and Nays being demanded by two members,

those who voted in the affirmative were,

Messrs. Daniel, Gray, Harrison and Slaughter—4.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Cotton, Drew, Gregory and Polke—6.

And so the amendment was rejected.

Mr. Drew moved to amend the bill by striking it out from the enacting clause,

And the Yeas and Nays being demanded by two members,

those who voted in the affirmative were,
Messrs. Baird, Drew, Polke and Slaughter—4.

those who voted in the negative were,
Messrs. Bartholomew, Cotton, Daniel, Gray, Gregory and Harrison—6.

And so the motion was decided in the negative.

The senate, according to order, resolved itself into a committee of the whole on the engrossed joint resolution to promote education, Mr. Daniel in the chair, and after some time spent therein, the committee rose, and Mr. president reported the resolution to the senate with an amendment. The amendment having been concurred in.

Resolved, That the resolution pass.

Ordered, That Mr. Polke inform the house of representatives thereof.

Mr. Slaughter, from the committee, reported that they did on this day present to the governor for his approval and signature the following enrolled bills, entitled acts, viz :

An act for the benefit of John Depauw.

An act establishing the permanent seat of justice for the county of Wayne and for other purposes.

And an act arranging the boundary line between the counties of Washington and Scott.

On motion,

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

And the senate adjourned.

Wednesday Morning, December 27, 1820.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee, reported that

they had examined and found duly enrolled the following bills, entitled acts, viz :

An act supplementary to the act, entitled an act to incorporate Madison Academy, approved January 11, 1820.

And an act to facilitate prosecutions for perjury.

A message from the Governor by Mr. Lilly, his private secretary :

Mr. President—The Governor did on this day approve and sign an act establishing the permanent seat of justice for the county of Wayne and for other purposes ; and he withdrew.

A message from the house of representatives by Mr. Thornton, assistant secretary :

Mr. President—The house of representatives have receded from their objections to the amendment made by the senate to the engrossed bill from the house of representatives, entitled an act amendatory to the several acts regulating the assessment and collection of revenue in this state ; and they insist on the whole of the amendments made by them to the engrossed bill from the senate, entitled an act supplementary to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off.

On motion by Mr. Drew,

Resolved, That the senate insist upon their objections to the amendments made by the house of representatives to the last mentioned bill.

Ordered, That Mr. Drew inform the house of representatives thereof.

On motion by Mr. Cotton,

Resolved, That the senate reconsider their vote given on the passage of the engrossed bill from the house of representatives, entitled an act to amend the act, entitled an act to license and regulate taverns, approved January 20, 1820.

The bill was amended in some particulars, and,

Resolved, That the bill pass as amended.

Ordered, That Mr. Cotton inform the house of representatives thereof.

A message from the House of Representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have concurred in the amendment made by the senate to the joint resolution of the General Assembly of the state of Indiana, to promote education ; and he withdrew.

On motion,

The senate again resumed, as in committee of the whole, the consideration of the engrossed bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Jackson and Delaware, Mr. Drew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate with several amendments.

The amendments having been concurred in.

On motion,

Ordered, That the bill be recommitted to a select committee, with leave to report thereon.

Whereupon,

Messrs. Drew, Gregory, Bartholomew and Polke were appointed that committee.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The House of Representatives have receded from their objections to the amendment made by the Senate, to the amendment made by the House of Representatives to the bill from the Senate, supplemental to an act entitled an act supplementary to an act, fixing seats of justice in all new counties hereafter to be laid off ; and he withdrew.

On motion,

Ordered, That the Senate adjourn until 3 o'clock P. M.

And the Senate adjourned.

Wednesday Afternoon, three o'clock.

Senate assembled pursuant to adjournment.

On motion,

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

And the Senate adjourned.

Thursday Morning Dec. 28, 1820.

Senate assembled pursuant to adjournment.

The engrossed bill providing for proceeding in law and equity against corporations, from the House of Representatives, was read a third time—and,

By unanimous consent—

Ordered, That the bill lie on the table.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The Speaker of the House of Representatives having signed the following enrolled bills entitled acts, I am instructed to lay the same before the Senate for the signature of their President viz :

An act to facilitate prosecutions for perjury—and,

An act supplementary to the act entitled an act to incorporate Madison academy, approved January 11th 1820 ; and he withdrew.

The President having signed the said bills, they were severally handed to the committee for enrolled bills to be handed to the Governor for his approbation and signature.

The engrossed bill from the House of Representatives entitled an act for the better regulation of the town of Corydon, was read a third time.

Resolved, That the bill pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act to amend the act entitled an act for

the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools and meeting-houses, was read a third time.

Resolved, That the bill pass.

The yeas and nays being demanded by two members ;

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Gray, Harrison, Polke and Slaughter—9.

And in the negative Mr. Gregory—1.

Ordered, That Mr. Bartholomew inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, was taken up in committee of the whole, Mr. Baird in the chair, and after some time spent therein, Mr. President resumed the chair, and reported the bill to the Senate.

And leave was given to sit again.

On motion,

Ordered, That the engrossed bill from the House of Representatives, entitled an act to amend an act entitled an act supplemental to an act for opening public roads and highways, was read a second time to-day.

On motion,

Ordered, That the bill lie on the table.

Mr. Gregory obtained leave to introduce the petition of John Vestal praying a divorce from his wife Betsey Vestal, which was read and,

On motion,

Ordered, That the petitioner have leave to withdraw his petition and documents.

Mr. Slaughter gave notice that he would on to-morrow or some subsequent day of the present session, ask leave to introduce a bill to repeal all acts now in force in this state authorizing a change of venue.

On motion,

Ordered, that the Senate adjourn until 2 o'clock P. M.

And the Senate adjourned.

Thursday Afternoon 2 o'clock.

Senate assembled pursuant to adjournment.

On motion,

The Senate resumed in committee of the whole, the consideration of the engrossed bill from the House of Representatives entitled, an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, Mr. Baird in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the Senate.

On motion,

Ordered, that the committee of the whole be discharged from the further consideration thereof, and that the bill be recommitted to a select committee with leave to report thereon.

Whereupon,

Messrs. Polke and Drew were appointed that committee.

Mr. Drew gave notice that he would on to-morrow or some subsequent day of the present session ask leave to introduce a bill incorporating the Indiana Cotton Manufacturing Company at New-Albany.

Mr. Drew from the select committee to whom was re-committed the engrossed bill from the House of Representatives entitled an act for the formation of a new county out of the counties of Jackson and Delaware, reported the bill with sundry amendments, which were read and,

On motion,

Ordered, That the bill with its amendments pass to a second reading on to-morrow.

On motion by Mr. Polke,

Resolved, That the secretary of state be requested to lay before the Senate all the information in his possession, relative to the proceedings of the commissioners, appointed by the last General Assembly to locate the site for the permanent seat of government of Indiana.

Ordered, That the assistant secretary make the above request.

The secretary of state in compliance with the above resolution and request, transmitted to the senate the report of the commissioners appointed for that purpose, which is as follows viz :

The undersigned commissioners in behalf of the state of Indiana, duly appointed by the General Assembly of said state to select and locate a site for the permanent seat of its government report :

That in conformity to a proclamation of Jonathan Jennings, Governor of the said state, the undersigned met at the house of William Conner, on the west fork of White river, and after having taken the oaths or affirmations respectively required by law, proceeded to the execution of the important trust assigned them, by an act of the General Assembly of the state of Indiana aforesaid, entitled an act appointing commissioners to select and locate a site for the permanent seat of government of Indiana; approved January 11, 1820. In discharging their duty to the state, the undersigned have endeavored to connect with an eligible site, the advantages of a navigable stream and fertility of soil, while they have not been unmindful of the geographical situation of the various portions of the state, to its political centre as it regards both the present and future population of the state, as well as the present and future interest of its citizens. The undersigned commissioners as aforesaid, in pursuance of the act of the General Assembly above mentioned, and of the act of Congress, entitled an act to enable the people of the Indiana Territory to form a constitution and state govern-

ment and for the admission of such state into the Union upon an equal footing with the original states, and for other purposes, and also of an act of Congress, entitled an act respecting the location of certain sections of land to be granted, for the seat of government in the state of Indiana, proceeded to select and locate, and have selected and located as a site for the permanent seat of government for and in behalf of said state, two thousand five hundred and sixty acres of land, equal to four entire sections; being sections numbered one and twelve, east and west fractional sections numbered 2, east fractional section numbered eleven, and so much of the east part of west fractional section numbered three to be set off by a north and south line as will complete the quantity of two thousand five hundred and sixty acres of land as aforesaid, in township fifteen of range three east.

Given under our hands this 7th day of June 1820.

GEORGE HUNT,
JOHN CONNER,
STEPHEN LUDLOW,
JOSEPH BARTHOLOMEW,
JOHN TIPTON,
JOHN GILLELAND,
THOMAS EMERSON,
FREDERICK RAPP,
JESSE B. DURHAM.

A Copy Attest.

B. J. BLYTHE, Clk.

On motion.

Ordered, That the senate adjourn until to-morrow morning 9 o'clock.

And the Senate adjourned.

Friday Morning, December 29, 1820.

Senate assembled pursuant to adjournment.

Mr. Drew according to previous notice obtained leave

to introduce a bill for incorporating the Indiana cotton manufacturing company in New-Albany, which was read—and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

Mr. Bartholomew obtained leave to present the petition of Benj. Blackiston and Thomas Sinex of New-Albany, praying to be confirmed in their title to lots Nos. 22 and 24 in New-Albany, which was read and,

On motion,

Ordered, That the petition be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Bartholomew, Daniel, and Drew were appointed that committee.

On motion by Mr. Cotton,

Resolved, That the select committee to whom was recommitted the engrossed bill from the House of Representatives, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, be discharged from the further consideration thereof.

And by unanimous consent,

Ordered, That the bill lie on the table.

A message from the House of Representatives by Mr. Yandes, a member :

Mr. President—The House of Representatives have passed an engrossed bill entitled an act for the formation of a new county out of the counties of Franklin, Wayne and Fayette and for other purposes, which originated in the Senate without amendment ; and he withdrew.

A message from the house of representatives by Mr. Mr. Tipton, a member :

Mr. President—The House of Representatives have passed an engrossed bill entitled an act for the relief of

James K. Scott and others, in which they request the concurrence of the Senate; and he withdrew.

The bill having been read.

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

Mr. Slaughter agreeably to previous notice obtained leave to introduce a bill to repeal all acts now in force, in this state prescribing the mode of changing the venue, which was read and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

A message from the House of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The House of Representatives have passed an engrossed bill entitled an act for the relief of Marshal Smith, executor of Cyrus N. Smith deceased, and—

An engrossed bill from the Senate, entitled an act to provide for the apportionment of Senators and Representatives in this state, which originated in the Senate, with sundry amendments, in which bill and amendments they request the concurrence of the Senate.

And the bill last reported from the House of Representatives entitled an act for the relief of Marshal Smith executor of Cyrus N. Smith deceased, was read and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

On motion,

The Senate proceeded to consider the amendments made by the House of Representatives to the engrossed bill from the Senate entitled :

An act to provide for the apportionment of Senators and Representatives in this state, which amendments are as follows, viz :

1. And Morgan, to be inserted after Owen in the first section.

2. Clark county to be entitled to two representatives and three, stricken out in first section.

3. The word and, before the words, and the county of Dearborn stricken out and the words, and the county of Bartholomew shall be entitled to one representative, added in the first section.

4. The word and, between Jackson and Scott, stricken out and the words, and Bartholomew, added after the word Scott in second section.

On motion,

Ordered, That the amendments be considered separately.

And the Yeas and Nays being demanded by two members, on concurrence in the several amendments,

Those who voted in the affirmative on the first amendment were,

Messrs. Cotton, Daniel, Drew, Gregory, Harrison, and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Gray and Polke—4.

And so the first amendment was adopted.

Those who voted in favor of the second amendment, were,

Messrs. Cotton, Daniel, Gregory, Harrison. Drew, Polke and Slaughter—7.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, and Gray—3.

And so the second amendment was adopted.

Those who voted in favor of the 3d amendment were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Gregory and Harrison—6.

Those who voted in the negative were,

Messrs. Drew, Gray, Polke and Slaughter—4.

And so the third amendment was adopted.

The fourth amendment was adopted by unanimous consent.

Ordered, That the assistant secretary inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act for the formation of a new county out of the counties of Jackson and Delaware, was read a second time—and,

On motion,

Ordered, That the same be committed to a committee of the whole house and made the order of the day for this day.

Thereupon,

On motion,

The senate, according to order, resolved themselves into committee of the whole on said bill, Mr. Harrison in the chair, and after some time spent therein, the committee rose, and Mr. President reported the bill to the senate without amendment.

On motion,

Ordered, That the bill be read a third time now.

The bill was accordingly read a third time.

Resolved, That the bill pass.

The yeas and nays being demanded by two members ;

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Drew and Gray—5.

Those who voted in the negative were,

Messrs. Baird, Gregory, Harrison, Polke, and Slaughter—5.

The votes being equally divided, the President voted in the affirmative, and so the bill passed.

Ordered, that Mr. Drew inform the house of representatives thereof.

The engrossed bill amendatory to the act for the relief of insolvent debtors, was read a third time to-day.

Resolved, That the bill pass, and that the title thereof be an act amendatory to the act, entitled an act for

the relief of insolvent debtors, approved January 1820.

Ordered, That Mr Daniel inform the house of representatives thereof and request their concurrence therein.

On motion,

Ordered, That the Senate adjourn until 2 o'clock P. M.

And the Senate adjourned.

Friday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the select committee to whom was referred the communication of his Excellency the Governor, on the subject of house rent, reported a joint resolution thereon; which was read—and,

On motion,

Ordered, That the same pass to a second reading on to-morrow.

On motion by Mr. Daniel,

Resolved, That the senate agree to adjourn on the 4th day of January next, *sine die*, and that the house of representatives be informed thereof and a similar resolution on their part be requested.

Ordered, That Mr. Daniel inform the house of representatives thereof.

By unanimous consent, Mr. Gregory obtained leave to introduce a bill to repeal an act, entitled an act appointing trustees for public seminaries and for other purposes; which was read—and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

On motion by Mr. Slaughter,

The senate resumed, as in committee of the whole, the consideration of the engrossed bill from the house

of representatives, entitled an act providing for the collection of fines in certain cases, Mr. Gray in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate with an amendment by striking it out from the enacting clause.

On motion by Mr. Polke,

Ordered. that the further consideration thereof be postponed indefinitely.

On motion,

Ordered. That the senate adjourn until to-morrow morning 9 o'clock.

And the senate adjourned.

Saturday Morning, December 30, 1820.

Senate assembled pursuant to adjournment.

Mr. Daniel, from the committee to whom was referred so much of the Governor's message as relates to the appropriation of the three per cent fund, submitted the following resolution, viz:

Resolved by the Senate, the House of Representatives concurring therein, That the joint committee on the three per cent fund be instructed so to frame a bill as to apportion the three per cent fund in the several counties in this state, in proportion to the number of square miles in each, for opening roads in the respective counties.

Mr. Harrison moved to postpone the further consideration of the resolution until the first Monday in December next—and

the Yeas and Nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Cotton, Drew, Harrison and Polke—4.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Daniel, Gray, Gregory and Slaughter—6.

And so the motion was negatived.

Mr. Baird moved to add a proviso to the resolution as follows, viz: *Provided*, that no county shall be considered as containing more than 400 square miles— which motion was adopted.

Mr. Cotton moved to amend the proviso by adding the words "or less," after "more;" which was negatived.

The Ayes and Nays being demanded by two members, on the adoption of the resolution as amended,

Those who voted in the affirmative were,
Messrs. Baird, Daniel and Gregory—3.

Those who voted in the negative were,
Messrs. Cotton, Drew, Gray, Harrison, Polke and Slaughter—7.

And so the resolution was rejected.

On motion by Mr. Harrison,

Resolved. That the joint committee appointed on so much of the Governor's message as relates to an appropriation of the three per cent fund be discharged from the farther consideration thereof.

Ordered. That Mr. Slaughter inform the house of representatives thereof.

Mr. Harrison gave notice that he would on Monday next, ask leave to introduce a joint resolution requiring the Governor of this state to ascertain and report to the next General Assembly the amount due to this state from the United States, arising from the three per cent fund.

By unanimous consent, Mr. Harrison obtained leave to introduce a bill to amend an act, entitled an act authorizing a change of venue in certain cases; which was read—and,

On motion,

Ordered, That the bill pass to a second reading on Monday next.

A message from the House of Representatives by Mr. Sturgus, a member :

Mr. President—The House of Representatives have passed an engrossed bill, entitled an act legalizing the board of county commissioners of the county of Vigo and for other purposes, in which they request the concurrence of the senate ; and he withdrew.

The bill was read—and,

On motion,

Ordered, That the bill be read a second time on Monday next.

The engrossed bill from the house of representatives entitled an act for the relief of James K. Scott and others, was read a second time to-day—and,

On motion,

Ordered, That the rules of the senate so far as they require the reading of a bill on three several days, be dispensed with, and that the bill be read a third time to-day, and the bill was read the third time, and after having been amended in one particular, by unanimous consent, it was

Resolved, That the bill pass as amended.

Ordered, That Mr. Slaughter inform the house of representatives thereof, and request their concurrence in the amendment.

The bill to repeal all acts and parts of acts now in force in this state, prescribing the mode of changing the venue, was read a second time to-day—and,

On motion,

Ordered, That the rules of the senate, so far as they require the reading of a bill on three several days, be dispensed with, and that the bill be read a third time now.

Whereupon,

The bill was read a third time—and,

Resolved, That the bill pass, and that the title there-

of be an act to repeal all acts now in force in this state, prescribing the mode of changing the venue.

Ordered, That Mr. Slaughter inform the house of representatives thereof, and request their concurrence therein.

The joint resolution of the General Assembly of the state of Indiana, was read a second time to-day—and,

On motion,

Ordered, That the same be committed to a committee of the whole house and made the order of the day for Monday next.

The engrossed bill from the house of representatives, entitled an act for the relief of Marshall Smith, executor of Cyrus N. Smith deceased, was read a second time to day—and,

On motion,

Ordered. That the bill lie on the table.

The bill for the incorporation of the Indiana Cotton Manufacturing Company in New-Albany, was read a second time to day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

The bill to repeal an act, entitled an act appointing trustees of public seminaries and for other purposes, was read a second time to-day—and,

On motion,

Ordered, That the same be committed to a committee of the whole house and made the order of the day for Monday next.

On motion,

The senate resumed, in committee of the whole, the consideration of the engrossed bill from the house of representatives, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, Mr. Baird in the chair, and after some time spent therein, the committee rose, and

Mr. President reported the bill to the senate with an amendment by striking it out from the enacting clause and inserting a substitute.

The senate having concurred in the amendment,

On motion,

Ordered, That the same be engrossed for a third reading on Monday next.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The Speaker of the House of Representatives having signed a joint resolution of the General Assembly providing for an interchange of the statute laws, with the several states of the Union—I am instructed to lay the same before the senate, for the signature of their president.

The house of representatives have also discharged the joint committee on their part from the further consideration of the joint resolution upon the subject of the appropriation of the three per cent fund upon roads ; and he withdrew.

The President having signed the enrolled join resolution above reported, it was handed to the committee for enrolled bills to be presented to the governor for his approval and signature.

A message from the House of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives refuse to concur in the 6th amendment made by the senate to the engrossed bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Jackson and Delaware, and concur in the 1st, 2d and 7th amendments. They also concur in the 3d and 4th amendments with the following amendment, “ extend the western boundary of Bartholomew, designating the sections, townships and lines to the eastern boundary of Monroe : *Provided*, That all that part of the said county of Bartholomew west of the range line dividing ranges three and four east

shall be considered as only temporarily attached thereto, and shall not be taken into consideration as any part of said county, in the location of its county seat ;" in which amendment they request the concurrence of the senate ; and he withdrew.

On motion,

Ordered, That the amendment reported lie on the table.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Saturday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

On motion,

Ordered, That the amendment made by the House of Representatives to the 3d and 4th amendments made by the Senate to the engrossed bill from the House of Representatives entitled, an act for the formation of a new county out of the counties of Jackson and Delaware and also their objections to concurrence in the 6th amendment made by the senate to the said bill, be now taken up, and

Mr. Drew moved to concur in the amendment made by the House of Representatives to the third and fourth amendments made by the Senate to the said bill which was decided in the negative.

Mr. Drew moved to recede from the sixth amendment made by the Senate to said bill, which was decided in the affirmative.

Ordered, That the assistant secretary inform the House of Representatives thereof.

Mr. Drew obtained leave to introduce a bill to repeal part of an act entitled an act supplemental to an act for

opening and repairing public roads and highways— which was read and,

Mr. Harrison moved to postpone the further consideration of the bill until the first Monday of December next ; which was negatived.

On motion,

Ordered, That the bill pass to a second reading on Monday next.

Mr. Gray agreeably to previous notice, obtained leave to introduce a bill appropriating a portion of the three per cent fund to the opening certain roads therein named, and for other purposes ; which was read and,

On motion,

Ordered, That the bill pass to a second reading on Monday next.

A message from the House of Representatives by Mr. Powell, a member :

Mr. President—The house of representatives have passed an engrossed bill entitled an act giving further power to the board of county commissioners of the county of Dearborn and other counties therein named, in which they request the concurrence of the senate ; and he withdrew.

The bill was read the first and second times by unanimous consent, and amended by striking out the words Franklin and Wayne.

On motion,

Ordered, That the bill lie on the table.

On motion,

Ordered, That the engrossed bill from the House of Representatives entitled an act to amend an act entitled an act supplemental to an act for opening public roads and highways, be now taken up.

The bill was accordingly read a third time and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day, and

The senate according to order resolved themselves into a committee of the whole on said bill, Mr. Gregory in the chair, and after some time spent therein, the committee rose and Mr. President reported the bill to the senate with an amendment by striking it out from the enacting clause.

Mr. Drew moved to postpone the further consideration of said bill indefinitely.

The yeas and nays being demanded by two members ;

Those who voted in the affirmative were,

Messrs. Baird, Cotton, Drew, Gregory, Polke and Slaughter—6.

Those who voted in the negative were,

Messrs. Bartholomew, Daniel, Gray and Harrison—4.

And so the bill was indefinitely postponed.

A message from the House of Representatives by Mr. Sullivan of Jefferson, a member.

Mr. President—The House of Representatives insist on the amendment made by them to the third and fourth amendments made by the senate, to the engrossed bill from the house of representatives entitled an act for the formation of a new county out of the counties of Jackson and Delaware, and they request a committee of free conference thereon, and have appointed Messrs. Sullivan of Jefferson, Tipton and Milroy managers on their part ; and he withdrew.

Mr. Cotton moved to adhere to their objections to the amendment made by the house of representatives to the third and fourth amendments made by the senate to the said bill, which was negatived.

Mr. Harrison moved to insist on their objections to the said amendment, and that a committee of free conference be appointed on the part of the senate, which motion carried.

Whereupon,

Messrs. Harrison, Gregory and Drew were appointed that committee.

Ordered, That Mr. Harrison inform the house of representatives thereof.

Mr. Bartholomew from the committee to whom was committed the petition of Benjamin Blackeston and Thomas Sinex respecting the title of two lots in the town of New-Albany, reported :

That in the opinion of a majority of the committee the prayer of the petitioners is unreasonable and ought not to be granted.

On motion by Mr. Drew,

Resolved, that the senate concur in the report of the select committee.

Mr. Slaughter obtained leave to introduce a bill to divorce Margaret W'Gee late Margaret Thompson from her husband Crawford M'Gee, which was read.

Mr. Polke moved to postpone the further consideration thereof indefinitely, which was negatived.

On motion,

Ordered, That the bill do pass to a second reading on Monday next.

On motion,

Ordered, That the senate adjourn until Monday morning 9 o'clock.

And the senate adjourned.

Monday Morning, January 1, 1821.

Senate assembled pursuant to adjournment.

The engrossed bill from the House of Representatives, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, was read a third time, as amended ; and

Resolved. That the bill pass as amended.

Ordered. That Mr. Polke inform the house of representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The house of representatives have passed the following resolution to-wit :

Resolved by the house of representatives of the state of Indiana, the senate concurring therein, That the subjection of any part of the human family to involuntary servitude is unjustifiable by the law of nature, contrary to the intention of our republican institutions, and the spirit and genius of our federal government.

That we view with anxiety and distrust all attempts to spread and perpetuate in the United States, a principle so obnoxious to freemen, demoralizing to our fellow citizens and disgraceful to the character of the nation ; that we conceive that Congress, by the constitution of the United States, are authorised to pass laws to prevent the removal of slaves from one part of the union to another, to restrict the admission of new states by prohibiting slavery within their limits, and to provide that persons, born after a certain period shall be free, and that we consider that the constitution of *Missouri* is in violation of the first principle of our national government in its provisions, to prevent the emancipation of slaves and to prohibit the emigration of free people of color to their territory.

And be it further resolved, That our senators and representative in Congress, be requested to use their endeavors to procure the passage of a law by Congress, authorising the people of *Missouri* to revise their constitution, with the restriction that said territory shall provide that no more slaves shall be admitted within their jurisdiction, and that they shall not infringe upon the rights of free persons to settle and reside in their territory, in which they request the concurrence of the senate ; and he withdrew.

On motion,

Ordered, That the resolution lie on the table.

The senate according to order resolved themselves into a committee of the whole, on the bill to repeal an act entitled an act appointing trustees for public seminaries and for other purposes, Mr. Gray in the chair, and after some time spent therein the committee rose and Mr. President reported the bill to the senate with an amendment by striking it out from the enacting clause, and—

On motion by Mr. Cotton,

Ordered, That the further consideration of the bill be postponed until the first Monday of December next.

A message from the house of representatives by Mr. Hanna, a member :

Mr. President—The house of representatives have adopted the following resolution viz :

Resolved, that the house of representatives adjourn *sine die*, on Saturday the 6th instant, and that the senate be informed thereof ; and he withdrew.

On motion by Mr. Drew,

Resolved, That the senate adjourn *sine die* on Saturday the 6th instant at 10 o'clock A. M. and that the house of representatives be informed thereof.

Ordered, That Mr. Drew inform the house of representatives thereof.

Mr. Slaughter from the committee reported that they had examined and found duly enrolled the act amendatory to the several acts regulating the assessment and collection of the revenue in this state.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The Speaker of the House of Representatives having signed an enrolled bill. entitled an act amendatory to the several acts regulating the assessment and collection of revenue in this state—I am instructed to lay the same before the Senate, for the signature of their President ; and he withdrew.

The President having signed the same it was hand-

ed to the committee for enrolled bills to be laid before the Governor for his approval and signature.

The bill incorporating the Indiana Cotton Manufacturing Company at New-Albany, was according to order taken up in committee of the whole, Mr. Daniel in the chair, and after some time spent therein, Mr. President resumed the chair and reported the bill to the senate with sundry amendments, which were concurred in and,

Mr. Daniel moved to amend the bill by striking out the words "as many votes as he owns shares in said company, and insert one vote.

Which amendment was adopted.

The bill was read a third time now as amended—and

Resolved, That the same pass and that the title thereof be an act incorporating the Indiana Manufacturing Company" at New-Albany.

The yeas and nays being demanded by two members ;

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Drew, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Gray Gregory, and Polke—4.

Ordered, That Mr. Drew inform the house of representatives thereof, and request their concurrence therein.

The joint resolution was according to order, taken up in committee of the whole, Mr. Gregory in the chair, and after some time spent therein, Mr. President resumed the chair and reported the resolution to the senate with sundry amendments, which were severally read and concurred in.

On motion,

The resolution as amended was considered as engrossed, and read a third time to day.

Resolved, That the resolution pass, and that the title thereof be,

A joint resolution for the benefit of Harbin H. Moore, and for other purposes.

Ordered, That Mr. Slaughter inform the house of representatives thereof and request their concurrence therein.

The engrossed bill from the house of representatives entitled, an act legalizing the proceedings of the board of county commissioners of the county of Vigo, was read the second and third times to-day by unanimous consent—and,

Resolved, That the bill pass without amendment.

Ordered, That Mr. Polke inform the house of representatives thereof.

The bill to divorce Margaret M'Gee late Margaret Thompson, from her husband Crawford M'Gee, was read a second time to-day—and,

Mr. Drew moved to postpone the further consideration thereof until the first Monday of December next, which was decided in the affirmative.

The bill appropriating a portion of the three per cent fund to the opening certain roads therein named, was read a second time to-day—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

Whereupon,

The senate, according to order, resolved themselves into a committee of the whole on the last mentioned bill, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate with an amendment by striking it out from the enacting clause.

Mr. Harrison then moved to postpone the further consideration of the bill indefinitely, which was decided in the affirmative; and so the bill was indefinitely postponed.

The bill repealing part of an act, entitled an act supplementary to an act for opening and repairing public roads and highways, was read a second time to-day—and,

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

The bill to amend an act, entitled an act authorizing the change of venue in certain cases, was read a second time to day—and,

On motion,

Ordered, That the bill lie on the table.

On motion by Mr. Harrison,

Resolved, That a committee be appointed to enquire into the expediency of memorializing Congress on the subject of so altering or changing the national road from Wheeling to a certain point on the Mississippi, as to make said road pass through the different seats of government in the states of Ohio, Indiana and Illinois, with leave to report thereon.

Whereupon,

Messrs. Harrison, Daniel and Brew were appointed that committee.

Mr. Harrison, agreeably to previous notice, obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana, on the subject of the three per cent fund; which was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the resolution be engrossed for a third reading on to-morrow.

On motion,

The senate now proceeded to consider the resolution of the house of representatives on the Missouri question—and,

Mr. Daniel moved to postpone the further consideration indefinitely.

the Yeas and Nays being demanded by two members,

those who voted in the affirmative were,
Messrs. Cotton, Daniel, Gray, Gregory, Polke, and Slaughter—6.

Those who voted in the negative were,
Messrs. Baird, Bartholomew, Draw and Harrison—4.
And so the resolution was indefinitely postponed.

On motion,

The amendments made by the house of representatives to the engrossed bill from the senate, entitled an act providing for running and marking the line dividing the states of Indiana and Illinois, were taken up and considered—and,

On motion,

Resolved, that the amendments be adopted.

Ordered, that Mr. Polke inform the house of representatives thereof.

On motion,

Ordered, that the senate adjourn until two o'clock this afternoon.

And the senate adjourned.

Monday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The House of Representatives have passed an engrossed bill, entitled an act for the benefit of the surviving heir of John Smith, deceased, in which they request the concurrence of the senate; and he withdrew.

The bill last reported was read the first, second and third times by unanimous consent—and,

On motion,

Ordered, That the same be postponed until to-morrow.

Mr. Drew, from the committee, reported that they had examined and found duly enrolled, an enrolled bill entitled an act supplementary to an act, entitled an act supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off, and an enrolled bill, entitled an act for the apportionment of senators and representatives within this state.

A message from the house of representatives by Mr. Merrill, a member :

Mr. President—The Speaker of the house of representatives having signed the following enrolled bills, entitled acts, I am instructed to lay the same before the senate for the signature of the President, to wit : an act supplemental to an act, entitled an act supplementary to an act, entitled an act fixing seats of justice in all new counties hereafter to be laid off; and an act for the apportionment of senators and representatives within this state; and he withdrew.

The President having signed the same, they were severally handed to the committee for enrolled bills to be laid before the Governor for his approval and signature.

On motion,

The senate proceeded again to consider the engrossed bill from the house of representatives, entitled an act giving further powers to the board of county commissioners of Dearborn county and other counties therein named; which was further amended by striking out six, and inserting four.

Ordered, that Mr. Gray inform the house of representatives thereof, and request their concurrence in the amendments.

On motion by Mr. Daniel,

Resolved, That a committee be appointed, consisting of a member from each judicial circuit, with instruc-

tions to report a bill fixing the circuits at two terms in the year.

Whereupon,

Messrs. Daniel, Drew, Polke and Slaughter were appointed that committee

On motion by Mr. Daniel,

Resolved, That the senate reconsider their vote given on the postponement of the bill to divorce Margaret McGee, late Margaret Thompson, from her husband Crawford McGee, and the question being put, shall the bill be postponed until the first Monday in December next? It was decided in the negative.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

On motion,

Ordered, That the senate adjourn until to-morrow morning nine o'clock.

And the senate adjourned.

Tuesday Morning, January 2, 1821.

Senate assembled pursuant to adjournment.

Mr. Drew, from the committee for enrolled bills, reported that they did on yesterday present to the Governor for his approval and signature the following enrolled bills, entitled acts, to wit:

An act to facilitate prosecutions for perjury.

An act supplementary to the act, entitled an act to incorporate Madison Academy, approved January 11, 1820.

An act amendatory to the several acts regulating the assessment and collection of revenue in this state.

An act for the apportionment of senators and representatives within this state.

And an act supplemental to an act, entitled an act supplementary to an act, entitled an act fixing seats of justice in all new counties hereafter to be laid off.

Also, a joint resolution providing for an interchange of statute laws with the several states of the union.

On motion by Mr. *Harrison*,

Ordered, That the committee appointed to memorialize Congress on the subject of the National Road, be discharged from the further consideration thereof.

The engrossed bill repealing part of an act, entitled an act supplemental to an act for opening and repairing public roads and highways, was read the third time—and,

Mr. Daniel moved to postpone the bill until the first Monday of December next, which was decided in the affirmative; and so the bill was postponed until the first Monday of December next.

Mr. Polke obtained leave to present the petition of William Harris, praying for the establishment of a ferry on the petitioners lots on the western bank of White river, opposite the town of Hindostan; which was read, and,

On motion,

Ordered, That the petition be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Polke, Gregory and Cotton were appointed that committee.

The engrossed bill from the house of representatives entitled an act for the benefit of the surviving heir of John Smith deceased, was now considered—and,

Resolved, That the bill pass as amended.

Ordered; That Mr. Cotton inform the house of representatives thereof, and request their concurrence in the amendment.

The engrossed bill from the house of representatives, entitled an act for the relief of Marshall Smith, executor of Cyrus N. Smith deceased, was read a second time now—and,

On motion,

Ordered; That the bill be committed to a committee

of the whole house and made the order of the day for this day—and,

On motion,

The senate, according to order, resolved themselves into a committee of the whole on the said bill, Mr. Slaughter in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair, and reported the bill to the senate, with an amendment by striking it out from its enacting clause—and,

On motion by Mr. Cotton,

Resolved, that the further consideration of the bill be indefinitely postponed.

On motion by Mr. Drew,

Resolved, that the petitioner have leave to withdraw his petition and accompanying documents.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Tuesday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

The engrossed bill divorcing *Margaret McGee*, late *Margaret Thompson*, from her husband *Crawford McGee*, was read a third time to-day, and on the question being put, shall this bill pass? It was decided in the negative.

The engrossed joint resolution of the state of Indiana, on the subject of the three per cent fund, was read a third time to-day—and,

Resolved, That the resolution pass.

Ordered. That Mr. Harrison inform the house of representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives concur in the amendment made by the senate to the engrossed bill from the house of representatives, entitled an act appointing commissioners to lay off a town on the site located for the permanent seat of government, with amendments. They have also passed an engrossed bill from the senate, entitled an act amendatory to the act, entitled an act for the relief of insolvent debtors, approved January 29, 1820, with amendments. They have also passed an engrossed bill from the senate, entitled an act for the relief of James Thompson, Jesse W. Knighten and David Downs, without amendment — They have also passed an engrossed joint resolution on the subject of Clark's grant in Clark county, state of Indiana, which originated in the house of representatives. They have also passed an engrossed bill, entitled an act amending an act reducing into one all the acts and parts of acts now in force in this state regulating proceedings at law and suits in chancery, which originated in the house of representatives. They have also adopted a memorial to congress on the subject of the great national road, which originated in the house of representatives. They have also concurred in the amendment made by the senate to the engrossed bill from the house of representatives, entitled an act for the benefit of the surviving heirs of John Smith deceased ; and he withdrew.

On motion,

The senate now proceeded to consider the amendments made by the house of representatives to the amendment made by the senate to the engrossed bill from the house of representatives, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, and the first amendment was concurred in by unanimous consent.

Mr. Drew moved to concur in the second amendment, which was negatived.

Ordered, That Mr. Drew inform the House of Representatives thereof.

On motion,

The senate proceeded to consider the amendments made by the house of representatives to the engrossed bill from the senate, entitled an act amendatory to the act, entitled an act for the relief of insolvent debtors, and the same were severally concurred in by unanimous consent.

Ordered, That Mr. Daniel inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act amendatory to an act reducing into one all the acts and parts of acts now in force in this state, regulating proceedings at law and suits in chancery, was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the same be committed to a committee of the whole house and made the order of the day for to-morrow.

The joint resolution on the subject of Clark's grant in Clark county Indiana, was read the first and second times to day by unanimous consent—and,

On motion,

Ordered, That the same pass to a third reading on to-morrow.

The memorial of the General Assembly of the state of Indiana to Congress, on the subject of the great national road was read—and,

On motion by Mr. Drew,

Resolved. That the memorial be adopted.

Ordered, That Mr. Harrison inform the house of representatives thereof.

A message from the house of representatives by Mr. Powell, a member :

Mr. President—The house of representatives have concurred in all the amendments made by the senate to the engrossed bill from the house of representatives, entitled an act giving further powers to the board of county commissioners of the county of Dearborn and other counties therein named ; and he withdrew.

A message from the Governor by Mr. Lilly, his private secretary :

Mr. President—The Governor did on this day approve and sign,

An act supplemental to an act entitled an act supplementary to an act, entitled an act fixing seats of justice in all new counties hereafter to be laid off, and an act for the apportionment of senators and representatives within this state, and he withdrew.

A message from the House of Representatives by Mr. Chambers, a member.

Mr. President—The House of Representatives have passed an engrossed bill entitled an act to repeal the 4th section of an act to amend an act entitled an act to regulate marriages, and for other purposes, approved January 3, 1820, and for other purposes, which was read and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

On motion by Mr. Polke,

Resolved, That it shall be the duty of the assistant secretary to inform the house of representatives, whenever a bill or joint resolution is reported to the senate as approved and signed by the Governor, as also such as have already been reported to this house as approved and signed.

On motion by Mr. Drew,

Resolved. That Mr. Daniel, a member of the senate, have leave of absence after to-day, for the remainder of the present session.

Mr. Harrison from the committee appointed for that purpose, submitted the following report :

The committee of free conference as well on the part of the senate, as the house of representatives, to whom was referred the subject matter of difference existing between the two houses, on an amendment made by the senate to an engrossed bill which originated in the house of representatives, for the formation of a new county out of the counties of Delaware and Jackson have had the same under consideration, and have agreed to report the said bill as it originally went from the house of representatives to the senate, so far as it relates to the boundaries of said new county ; and that so much of Delaware county as lies between Monroe county and the new county of Bartholomew shall be temporarily attached to the said new county, but is not to be taken into consideration by the commissioners appointed to fix the seat of justice of said new county ; and have agreed to amend said bill in the 17th line of the second section by inserting after the word 'and' the following, 'after taking an oath faithfully and impartially to discharge their duties as such, which oath one of said commissioners shall administer to the others, and one of those sworn to him.'

On motion,

Resolved, That the above report be concurred in.

The yeas and nays were called for by two members, on concurrence—and,

Those who voted in the affirmative were,

Messrs. Bartholomew, Daniel, Drew, Gray, Gregory and Harrison—6.

Those who voted in the negative were,

Messrs. Baird, Cotton Polke and Slaughter—4.

On motion,

Ordered, that the senate adjourn until to morrow morning 9 o'clock.

And the senate adjourned.

Wednesday Morning, January 3, 1821.

Senate assembled pursuant to adjournment.

Mr. Gregory obtained leave to present the petition of David Clements and others, lessees of the reserved township of land in Monroe county, praying relief, which was read and.

On motion,

Ordered, That the petition be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Gregory, Cotton and Baird were appointed that committee.

Mr. Harrison submitted the following resolution to-wit :

Resolved, That the senate conceive it at this time inexpedient to issue treasury notes to meet the demands against the state, and that in support of the public credit, it is necessary and expedient to resort to a loan for the sum of seven thousand dollars, at an interest not exceeding six per cent per annum, and that in the event of said loan not being obtained, all warrants drawn by the auditor of public accounts, to bear an interest at six per cent per annum from their respective dates, until taken in by the treasurer of state, or until public notice be given by the treasurer of state that sufficient funds are in the treasury for the redemption of said warrants, and that the house of representatives be informed thereof.

The Yeas and Nays being demanded by two members, on the adoption of the resolution.

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Drew, Gray, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Daniel, Gregory, and Polk—4.

And so the resolution was adopted.

Ordered, That **Mr. Harrison** inform the house of representatives thereof.

A message from the House of Representatives by **Mr. Tipton**, a member :

Mr. President—The house of representatives have concurred in the amendment made by the senate to an engrossed memorial of the General Assembly of the state of Indiana to Congress on the subject of the great national road ; and he withdrew.

A message from the House of Representatives by **Mr. Chambers** a member :

Mr. President—The House of Representatives have passed an engrossed bill entitled an act for the relief of the sheriff of Orange county, in which they request the concurrence of the senate ; and he withdrew.

The bill was read the first and second times by unanimous consent, and

On motion,

Ordered, That the bill be committed to a committee of the whole house, and made the order of the day for to-morrow.

A message from the house of representatives by **Mr. Hay**, a member :

Mr. President—The house of representatives insist on their amendment made to the amendment of the senate to the bill from the house of representatives entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government ; and he withdrew.

On motion by **Mr. Baird**,

Resolved, That the senate insist upon their objections to the amendment made by the house of representatives to the amendment made by the senate to the last mentioned bill.

Ordered. That **Mr. Baird** inform the house of representatives thereof.

A message from the house of representatives by **Mr. Thornton**, assistant clerk :

Mr. President—The house of representatives have concurred in the report of the committee of free conference, on the disagreement of the two houses on the engrossed bill entitled: an act for the formation of a new county out of the counties of Jackson and Delaware.

They have also adopted an engrossed joint resolution for the benefit of Harbin H. Moore and for other purposes, which originated in the senate with an amendment.

They have also passed an engrossed bill entitled an act authorizing the establishment of fire companies, which originated in the senate without amendment.

They have also passed the following engrossed bills, entitled acts to-wit:

An act subjecting bank notes refused to be redeemed with specie on demand to interest.

An act attaching part of the county of Clark to the county of Floyd—and,

An act for the relief of the administrators of the estate of John McMurtry deceased, in which several bills and amendments, they request the concurrence of the senate; and he withdrew.

By unanimous consent the senate concurred in the amendment made by the house of representatives to the engrossed joint resolution for the benefit of Harbin H. Moore and for other purposes.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act subjecting bank notes refused to be redeemed with specie on demand to interest, was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

The engrossed bill attaching part of the county of

Clark to the county of Floyd, was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

The engrossed bill for the relief of the administrators of the estate of John McMurtry deceased and Tubby Bloyd, was read the first, second and third times, by unanimous consent, and,

Resolved, That the bill pass.

Ordered, That Mr. Harrison inform the house of representatives thereof.

On motion,

The joint resolution on the subject of Clark's grant, in Clark county state of Indiana, was taken up, and,

On motion by Mr. Bartholomew,

The bill was amended by inserting after 'Armstrong' 'Benjamin Ferguson and John Miller.'

On motion,

The resolution was read a third time now, and,

Resolved, That the resolution pass as amended.

Ordered, that Mr. Bartholomew inform the house of representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Milroy, a member :

Mr. President—The house of representatives have passed an engrossed bill from the senate, entitled an act to repeal part of an act regulating the inspection of flour, beef, and pork, without amendment; and he withdrew.

Mr. Polke obtained leave to introduce a bill to amend the act entitled an act authorising the citizens of towns to vacate said towns or any part thereof, approved January 14th, 1820; which was read the first and second times by unanimous consent.

On motion,

Ordered. That the same be engrossed for a third reading on to-day.

The engrossed bill from the house of representatives entitled an act to repeal the fourth section of an act to amend an act entitled an act to regulate marriages and for other purposes, approved January 3, 1820, and for other purposes, was read a second time to day, and

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

The engrossed bill amending an act reducing into one all the acts and parts of acts, now in force in this state regulating proceedings at law and suits in chancery, was according to order taken up in committee of the whole, Mr. Gregory in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate without amendment.

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

A message from the house of representatives by Mr. Thornton, assistant clerk.

Mr. President—I am directed by the Speaker of the house of representatives to inform the senate that it has been announced to the house of representatives by Mr. Lilly the Governor's private secretary, that the Governor has approved and signed the following enrolled bills, entitled acts, which originated in the house of representatives at the present session of the General Assembly viz :

-An act to repeal an act to amend an act entitled an act subjecting real and personal property to execution, approved January 18, 1818.

An act to facilitate prosecutions for perjury.

An act authorizing the associate judges of Martin county to appoint a clerk in vacation.

An act extending the boundary line of Randolph county.

An act arranging the boundary line between the counties of Washington and Scott.

An act for the benefit of John De Pauw,

An act for the relief of sheriffs.

An act amendatory to the several acts regulating the assessment and collection of revenue in this state—and,

An act supplementary to the act entitled an act to incorporate Madison Academy, approved January 4, 1820.

Also that his Excellency has approved and signed the following joint resolutions, which originated in the house of representatives at the present session to-wit:

A joint resolution providing for an interchange of statute laws with the several states of the Union.

A joint resolution adjourning the Harrison circuit court.

A joint resolution authorizing the associate judges of Washington county to appoint a clerk in vacation—and,

A joint resolution fixing a place for the electors of President and Vice-President of the United States, to meet and vote for the same; and he withdrew.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Wednesday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

A message from the house of representatives by Mr. Ross, a member:

Mr. President—The house of representatives have concurred in the amendment made by the senate to the joint resolution on the subject of Clark's grant in Clark county, state of Indiana. They also insist on their amendment made to the amendment made by the senate

to the engrossed bill from the house of representatives, appointing commissioners to lay off a town on the site selected for the permanent seat of government, and have appointed a committee of free conference on their part, consisting of Messrs. Ross, Sullivan and Merrell, and request a committee of free conference on the part of the senate; and he withdrew.

On motion by Mr. Drew,

Resolved, That the senate insist upon their objections to the said amendment, and that a committee of free conference be appointed on the part of the senate.

Whereupon,

Messrs. Drew, Cotton and Baird were appointed that committee.

Mr. Gregory, from the committee to whom was referred the petition of David Clements and others, lessees of the reserved township in Monroe county, reported thereon by bill; which was read—and,

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

A message from the house of representatives by Mr. Grass, a member :

Mr. President—The House of Representatives have passed an engrossed bill, entitled an act to vacate the town of Sprinklesburgh, in which they request the concurrence of the senate; and he withdrew.

The bill was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for to-morrow.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed the engrossed bill, which originated in the senate, entitled an act providing a summary mode for col-

lecting debts in certain cases, with an amendment, in which they request the concurrence of the senate; and he withdrew.

On motion,

Ordered, That the bill and amendment lie on the table.

Mr. Slaughter, from the committee, reported that they had examined and found duly enrolled, an act for the relief of James Thompson, Jesse W. Knighten and David Downs.

The engrossed bill to amend the act, entitled an act authorizing the citizens of towns to vacate said towns or any part thereof and for other purposes, approved January 14, 1820, was read a third time now—and,

Resolved, That the bill pass, and that the title thereof be an act to amend an act entitled an act authorizing the citizens of towns to vacate said towns, or any part thereof and for other purposes, approved January 14, 1820.

Ordered, That the assistant secretary inform the house of representatives thereof; and request their concurrence therein.

The senate, according to order, resolved themselves into a committee of the whole on the engrossed bill from the house of representatives, entitled an act subjecting bank notes refused to be redeemed with specie on demand to interest, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with sundry amendments; which were severally read and considered—and,

On motion,

The senate concurred in one amendment only.

On motion,

Ordered, That the bill pass to a third reading on to-morrow, as amended.

On motion,

Ordered, that the senate adjourn until to morrow morning nine o'clock.

And the senate adjourned.

Thursday Morning, January 4, 1821.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee, reported that they had compared and found duly enrolled,

An act for the relief of James K. Scott and others.

An act for the benefit of the surviving heir of John Smith deceased.

An act amendatory to the act, entitled an act for the relief of insolvent debtors, approved January 20, 1820.

An act for the formation of a new county out of the counties of Franklin, Wayne and Fayette, and to enlarge the county of Wayne.

An act giving further powers to the board of county commissioners of the county of Dearborn and other counties therein named.

An act organizing Green county out of the counties of Sullivan and Daviess.

An act for the relief of persons owning property in the town of Corydon.

An act to repeal part of an act, entitled an act regulating the inspection of flour, beef and pork.

An act authorizing the establishment of fire companies—and,

A memorial of the General Assembly of the state of Indiana on the the subject of public lands.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act making appropriations for the year one thousand eight hundred and twenty one, in which they request the concurrence of the senate ; and he withdrew.

The bill was read the first and second times by unanimous consent—and,

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

The engrossed bill from the house of representatives, entitled an act attaching part of the county of Clark to the county of Floyd, was read the third time to-day.

Resolved, That the bill pass.

Ordered, That Mr. Bartholomew inform the house of representatives thereof.

The engrossed bill from the house of representatives, entitled an act to repeal the fourth section of an act, to amend an act to regulate marriages and for other purposes, approved January 3d, 1820, was read a third time to day—and

Resolved, That the bill pass.

The Yeas and Nays being demanded by two members on the passage of the bill,

Those who voted in the affirmative were,

Messrs. Bartholomew, Daniel, Gray, Gregory, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Cotton, Drew and Polke—4.

Ordered, That Mr. Daniel inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act amending an act reducing into one all the acts and parts of acts now in force in this state, regulating proceedings at law and suits in chancery, was read a third time to day, and on the question being put, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Gray, Polke and Slaughter—5.

Those who voted in the negative were,

Messrs. Baird, Daniel, Drew, Gregory & Harrison—5

The votes being equally divided, the President vo.

ted in the negative, and so the bill did not pass.

The engrossed bill from the house of representatives entitled an act subjecting bank notes refused to be redeemed with specie on demand to interest, was read the third time—and,

On motion,

Ordered, that the bill lie on the table.

The engrossed bill from the house of representatives entitled an act for the relief of the sheriff of Orange county, was, according to order, taken up in committee of the whole, Mr. Slaughter in the chair, and after some time spent therein, Mr. President resumed the chair, and reported the bill to the senate with an amendment by striking it out from the enacting clause.

On motion,

Ordered, that the bill lie on the table.

The bill for the relief of sundry lessees on the reserved township in Monroe county was read a second time to-day—and,

Mr. Polke moved to postpone the further consideration thereof indefinitely.

The Yeas and Nays being demanded by two members—those who voted in the affirmative were,

Messrs. Cotton, Drew and Polke—3.

Those who voted in the negative were,

Messrs. Baird, Bartholomew, Daniel, Gray, Gregory and Harrison—6.

And so the motion was negatived.

On motion,

Ordered, that the bill be committed to a committee of the whole house, and made the order of the day for to-morrow.

Mr. Drew, from the select committee to whom was referred the petition of Elijah Fisher, late sheriff of Wayne county, reported a joint resolution for his relief, which was read three times by unanimous consent, and passed.

Ordered. That Mr. Drew inform the House of Rep-

representatives thereof, and request their concurrence therein.

Mr. Drew, from the committee of free conference appointed for that purpose, submitted the following report.

The managers on the part of the senate appointed to confer with those appointed on the part of the house of representatives, as a committee of free conference on the subject matter of dispute between the two houses on the amendment made by the house of representatives to the amendment made by the senate to the bill from the house of representatives appointing commissioners to lay off a town on the site selected for the permanent seat of government, report, that the said committee have had the same under consideration, and have agreed that the said amendment of the house of representatives shall be amended by striking out the following words, "until the same be completed."

On motion,

Resolved, That the senate concur in the above report.

Ordered, That Mr. Drew inform the house of representatives thereof.

A message from the House of Representatives by Mr. Ross, a member.

Mr. President—The Speaker of the House of Representatives having signed the following enrolled bills, entitled acts; I am instructed to lay the same before the senate for the signature of their President, viz:

An act giving further powers to the board of county commissioners of the county of Dearborn and other counties therein named.

An act amendatory to the act for the relief of insolvent debtors, approved January 20, 1820.

An act for the relief of James Thompson, Jesse W. Knighten and David Downs.

An act for the formation of a new county out of the counties of Franklin, Wayne and Fayette and to enlarge the county of Wayne.

An act for the formation of a new county out of the counties of Sullivan and Daviess.

An act for the benefit of the surviving heir of John Smith deceased.

An act for the relief of James K. Scott and others.

An act for the relief of persons owning property in the town of Corydon.

Also a memorial of the senate and house of representatives of the state of Indiana to Congress on the subject of public lands; and he withdrew.

The President having signed the same, they were severally handed to the committee for enrolled bills to be laid before the governor for his approval and signature.

On motion,

Ordered, That the senate adjourn until 2 o'clock this afternoon.

And the senate adjourned.

Thursday Afternoon, January 4, 1821.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee, reported that they examined and found duly enrolled the act to amend the act, entitled an act to license and regulate taverns, approved January 28th, 1820.

A message from the House of Representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed the following enrolled bills, entitled acts; I am instructed to lay the same before the senate for the signature of the President, viz :

An act to repeal part of an act, entitled an act regulating the inspection of flour, beef and pork.

And an act authorizing the establishment of fire companies.

The President having signed the same, they were

severally handed to the committee for enrolled bills, to be laid before the governor for his approval and signature.

Mr. Drew obtained leave to introduce a bill fixing the times of holding courts in the several circuits and for other purposes ; which was read the first and second times by unanimous consent.

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for to-morrow.

A message from the House of Representatives by *Mr. Thornton*, assistant clerk.

Mr. President—The house of representatives have concurred in the report of the managers from the committee of free conference on the subject matter of difference between the two houses on the bill appointing commissioners to lay off a town on the site selected for the permanent seat of government ; and he withdrew.

Mr. Slaughter obtained leave to introduce a bill relative to the office of secretary of state, which was read the first and second times by unanimous consent, and ordered to be committed to a committee of the whole house on to-morrow.

On motion by *Mr. Gregory*,

The bill from the house of representatives for the relief of the sheriff of Orange county was taken up—and,

On motion,

The senate concurred in the amendment made thereto in committee of the whole.

On motion by *Mr. Slaughter*,

Resolved, That the further consideration thereof be indefinitely postponed.

On motion,

The engrossed bill from the house of representatives entitled an act subjecting bank notes refused to be redeemed with specie on demand to interest, was now taken up, and,

Resolved, That the bill pass.

The Yeas and Nays being demanded by two members,

Those who voted in the affirmative were,
Messrs Bartholomew, Cotton, Daniel, Gray, Gregory, Harrison and Slaughter—7.

Those who voted in the negative were,
Messrs. Baird, and Drew—2.

Ordered, that Mr. Bartholomew inform the house of representatives thereof.

On motion,

The senate resumed the consideration of the engrossed bill from the house of representatives entitled, an act providing for proceedings in law and equity against corporations, as amended; and the bill was put upon its passage.

The yeas and nays being demanded by two members, on the passage of the bill,

Those who voted in the affirmative were,
Messrs Daniel, and Gregory—2.

Those who voted in the negative were.

Messrs. Baird. Bartholomew, Cotton, Drew, Gray, Harrison, Polke and Slaughter—8.

And so the bill was rejected.

On motion,

The senate resumed the consideration of the engrossed bill, and its amendments, entitled an act providing a summary mode of collecting debts, in certain cases, and,

On motion,

The senate concurred in the first, second and third sections of the amendment to the bill.

The yeas and nays being demanded by two members, on concurrence in the first, second and third sections;

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Daniel, Gray, Gregory, Harrison, Polke and Slaughter—8.

Those who voted in the negative were,
Messrs. Baird and Drew—2.

Those who voted in the affirmative for concurrence in the fourth section of the amendment were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Gray, Gregory, Harrison and Slaughter—8.

Those who voted in the negative were,

Messrs. Drew and Polke—2.

And so the amendment made by the house of representatives to the bill by striking it out from its enacting clause and inserting a substitute was concurred in.

Ordered, that Mr. Gray inform the house of representatives thereof.

A message from the house of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed the engrossed bill which originated in the senate entitled, an act supplementary to an act, entitled an act subjecting real and personal estates to execution, approved January 7, 1818, with amendments, in which amendments they request the concurrence of the senate ; and he withdrew.

On motion,

The senate proceeded to consider the amendments to the said bill.

On motion,

Ordered, that the senate adjourn until this evening 6 o'clock. And the senate adjourned.

Thursday Afternoon, 6 o'clock.

Senate assembled pursuant to adjournment.

A message from the house of representatives by Mr. Ross a member,

Mr. President—The Speaker of the house of representatives having signed an enrolled bill entitled an act to amend the act entitled an act to license and regulate taverns, approved January 28, 1820, I am instructed

to lay the same before the senate for the signature of their president; and he withdrew.

The president having signed the same it was handed to the committee for enrolled bills to be laid before the Governor for his approval and signature.

The senate resumed the consideration of the amendments to the engrossed bill entitled an act supplementary to an act, entitled an act subjecting real and personal estates to execution; and

On motion,

The senate concurred in the first, fourth, fifth, sixth, seventh, eighth and eleventh amendments made thereto, by the house of representatives; and the third amendment was concurred in with an amendment, and the 9th amendment was concurred with two amendments—the senate refused to concur in the 2th, 10th, 12th and 13th amendments made thereto.

Ordered, That Mr. Drew inform the house of representatives thereof.

Mr. Slaughter from the committee reported that they did on this day present to his Excellency the Governor, for his approbation and signature, the following enrolled bills entitled acts to-wit:

An act for the relief of persons owning property in the town of Corydon; an act authorizing the establishment of fire companies; an act to repeal part of an act entitled an act regulating the inspection of flour, beef and pork; an act for the relief of James K. Scott and others; an act for the benefit of the surviving heir of John Smith deceased; an act for the formation of a new county out of the counties of Sullivan and Daviess; an act for the formation of a new county out of the counties of Franklin, Wayne and Fayette and to enlarge the county of Wayne; an act for the relief of James Thompson, Jesse W. Knighten and David Downs; an act amendatory to the act for the relief of Insolvent debtors, approved January 20, 1820; and an act giving further powers to the board of county commissioners of the

county of Dearborn, and other counties therein named.

On motion,

Ordered, That the senate adjourn until to-morrow morning 9 o'clock.

And the senate adjourned.

Friday Morning, January 5, 1821.

Senate Assembled pursuant to adjournment.

The engrossed bill from the house of representatives entitled an act making appropriations for the year one thousand eight hundred and twenty one, was read the third time, and amended in one particular by unanimous consent.

Resolved, That the bill pass as amended.

Ordered, That Mr. Harrison inform the house of representatives thereof and request their concurrence in the amendment.

The senate according to order resolved themselves into a committee of the whole on the bill fixing the times of holding courts in the several circuits, Mr. Cotton in the chair and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate, with amendments.

The amendments having been concurred in,

On motion,

Ordered, That the bill be engrossed for a third reading on this day.

A message from the house of representatives by Mr. Thornton, assistant clerk

Mr. President—The House of Representatives recede from the 2d, 10th, 12th and 13th amendments made by them to the engrossed bill from the house of representatives entitled an act supplementary to the act, entitled an act subjecting real and personal estates to execution, in which amendments the senate refused to concur. They also concur in the amendments marked 1, and 2, which the senate have made to the ninth a-

amendment made by the house of representatives to said bill. They also concur in the amendment made by the senate to the 3d amendment made thereto by the house of representatives. They have also passed the following engrossed bills entitled acts, to-wit :

An act to amend the act entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28th 1820.

An act for the relief of Henry Ayres.

An act for the relief of Thomas McCartney David Harman and Peter Weaver.

An act to provide for the erection of a house for the employment and support of the poor of Knox county—and,

A joint resolution on the subject of postage.

They also concur in the amendment made by the senate to the engrossed bill entitled an act subjecting bank notes refused to be redeemed with specie on demand to interest ; in all which bills and resolution they request the concurrence of the senate ; and he withdrew.

A message from the house of representatives by Mr. Milroy, a member :

Mr. President—The house of representatives concur in the amendment made by the senate to the bill from the house of representatives entitled an act making appropriations for the year one thousand eight hundred and twenty one ; and he withdrew.

The bill relative to the office of secretary of state, was according to order taken up in committee of the whole, Mr. Polke in the chair, and after some time spent therein, Mr. President resumed the chair and reported the bill to the senate with an amendment, which amendment was rejected by the senate.

The bill was amended in senate in one particular by unanimous consent.

On motion,

Ordered, That the bill be considered as engrossed, and read a third time now.

And the bill was read a third time accordingly.

Resolved, That the bill pass and that the title thereof be an act relative to the office of secretary of state.

Ordered, That Mr. Slaughter inform the house of representatives thereof and request their concurrence therein.

Mr. Slaughter from the committee, reported that they had examined and found duly enrolled, a joint resolution on the subject of Clark's grant in Clark county state of Indiana.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed an enrolled joint resolution on the subject of Clark's grant in Clark county state of Indiana—I am instructed to lay the same before the Senate for the signature of their president; and he withdrew.

The president having signed the same it was handed to the committee for enrolled bills to be laid before the Governor for his approval and signature.

The engrossed bill fixing the times of holding courts in the several circuits and for other purposes, was read the third time, and

Ordered, That the bill pass and that the title thereof be an act fixing the times of holding courts in the several circuits, and for other purposes

Resolved, That Mr. Drew inform the house of representatives thereof, and request their concurrence therein.

Mr. Polke obtained leave to introduce a memorial to Congress in behalf of the citizens of the counties of Knox, Sullivan and Daviess, which was read and adopted.

Ordered, That Mr. Polke inform the house of representatives thereof and request their concurrence therein.

On motion,

The bill to amend an act entitled an act authorizing a change of venue in certain cases, was read a second time, and

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this day.

The joint resolution on the subject of postage from the house of representatives, was read three times by unanimous consent, and

Resolved, That the resolution be adopted.

Ordered, That Mr. Cotton inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act for the relief of Henry Ayres, was read three times by unanimous consent, and

Resolved, That the bill pass.

Ordered, that Mr. Daniel inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act for the relief Thomas McCartney, David Harman and Peter Weaver, was read three times by unanimous consent, and

Resolved, That the bill pass.

Ordered, That Mr. Baird inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled an act to amend the act entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28, 1820, was read twice by unanimous consent, and

Mr. Gregory moved to amend the bill by striking out the first section, which was negatived.

Mr. Gregory again moved to amend the bill by striking out the third section, was negatived.

On motion,

The bill was read a third time, and

Resolved, That the bill pass.

The yeas and nays being demanded by two members, on the passage of the bill,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Harrison, Polke and Slaughter—8.

Those who voted in the negative were,

Messrs. Gray, and Gregory—2.

Ordered, That Mr. Drew inform the house of representatives thereof.

The engrossed bill from the house of representatives entitled, an act to provide for the erection of a house for the employment and support of the poor of Knox county, was read twice by unanimous consent, and

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for to-morrow.

The senate according to order resolved themselves into a committee of the whole on the bill for the relief of sundry lessees, on the reserved township in Monroe county, Mr. Baird in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with an amendment by striking it out from its enacting clause.

On motion by Mr. Harrison,

Resolved, That the farther consideration of the bill be indefinitely postponed.

The Yeas and Nays being demanded by two members, on postponement;

those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Drew, Harrison and Polke—5.

those who voted in the negative were,

Messrs. Baird, Gray, and Gregory—3.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock. And the senate adjourned.

Friday Afternoon, January 3, 1831.

Senate assembled pursuant to adjournment.

On motion by Mr. Daniel,

Resolved, that the senate will meet the house representatives in the representative chamber this evening at 6 o'clock, to elect three commissioners to lay off a town on the site selected for the permanent seat of government, and also three directors of the state bank of Indiana on the part of the state; and that the house of representatives be informed thereof.

Ordered, that Mr. Daniel inform the house of representatives thereof.

Mr. Gregory moved to reconsider the vote of the senate given on the passage of the engrossed bill to divorce Margaret McGee, late Margaret Thompson from her husband Crawford McGee, which bill had been heretofore rejected by the senate; and the motion was decided in the affirmative.

Resolved, That the bill pass, and that the title thereof be an act divorcing Margaret McGee, late Margaret Thompson, from her husband Crawford McGee.

The Yeas and Nays being demanded by two members on the passage of the bill.

Those who voted in the affirmative were,

Messrs. Bartholomew, Daniel, Gray, Gregory, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Baird, Cotton, Drew and Polke—4.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

A message from the house of representatives by Mr. Ferris, a member,

Mr. President—The house of representatives have passed an engrossed bill, entitled an act supplemental to an act, entitled an act locating certain roads therein named and for other purposes, approved January 22,

1820, in which they request the concurrence of the senate : and he withdrew.

The bill was read twice by unanimous consent, and,

On motion,

Ordered, That the bill pass to a third reading on tomorrow.

Mr. Slaughter, from the committee, reported that they had examined and found duly enrolled, an engrossed bill, entitled an act providing a summary made of collecting debts in certain cases.

On motion,

The senate, according to order, resolved themselves into a committee of the whole on the bill to amend an act authorizing a change of venue in certain cases, Mr. Baird in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with some amendments.

The amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading to day.

A message from the Governor by W. H. Lilly, Esq.

Announcing that he did on yesterday approve and sign the following acts, to wit :

An act to repeal part of an act entitled an act regulating the inspection of flour, beef and pork.

An act for the relief of James Thompson, Jesse W. Knighten and David Downs.

An act amendatory to the act for the relief of insolvent debtors, approved January 20, 1820.

An act for the formation of a new county out of the counties of Franklin, Wayne and Fayette, and to enlarge the county of Wayne.

And an act authorizing the establishment of fire companies, all of which originated in the senate ; and he withdrew.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have adopted a memorial to Congress in behalf of the citizens of the counties of Knox, Daviess, Pike and Gibson, which originated in the senate, with an amendment, in which amendment they request the concurrence of the senate ; and he withdrew.

On motion,

The amendment was concurred in.

Ordered, That Mr. Polke inform the house of representatives thereof.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed a joint resolution for the relief of Elijah Fisher late sheriff of Wayne county, which originated in the senate, without amendment. They have also passed a joint resolution authorizing the treasurer of state to dispose of certain bank notes, which originated in the house of representatives, in which last resolution they request the concurrence of the senate ; and he withdrew.

The last mentioned resolution was read three times by unanimous consent.

Resolved, That the same be adopted.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

A message from the house of Representatives by Mr. Thornton, assistant clerk :

Mr. President—His Excellency the Governor has announced to the house of representatives by Wm. H. Lilly, Esq. that he did on this day approve and sign the following acts, which originated in the house of representatives, to wit :

An act giving further powers to the board of county commissioners of the county of Dearborn and other counties therein named.

An act for the relief of persons owning property in the town of Corydon.

An act for the formation of a new county out of the counties of Sullivan and Daviess.

An act for the relief of James K. Scott and others.

An act for the benefit of the surviving heir of John Smith deceased.

They have also adopted the following resolution, to wit:

Resolved, That the house of representatives will meet the senate in the representative chamber to morrow morning at 9 o'clock, A. M. for the purpose of electing three commissioners and one agent for this state, under the act appointing commissioners to lay off a town on the site selected for the permanent seat of government; and also three directors of the state bank of Indiana on the part of said state, and that the senate be informed thereof.

On motion by Mr. Polke,

Resolved, That the senate concur in the resolution, and that a teller be appointed on the part of the senate to count the votes given at said election.

Whereupon,

Mr. Polke was appointed teller on the part of the senate.

Ordered, That Mr. Polke inform the house of representatives thereof.

Mr. Gregory obtained leave to introduce a bill appointing trustees for the state seminary of Indiana, which was read twice by unanimous consent—and,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for this evening.

On motion,

Ordered, That the senate adjourn until this evening 6 o'clock.

And the senate adjourned.

Friday Evening, six o'clock.

Senate assembled pursuant to adjournment.

Mr. Drew, from the committee, reported that they had examined and found duly enrolled,

An act supplementary to an act subjecting real and personal estate to execution, approved January 7th, 1818.

And a joint resolution for the benefit of Harbin H. Moore and for other purposes.

On motion,

The senate, according to order, resolved themselves into a committee of the whole on the bill for appointing trustees for the state seminary of the state of Indiana, Mr. Gray in the chair, and after some time spent therein, the committee rose and Mr. President resumed the chair and reported the bill to the senate with an amendment by striking it out from its enacting clause—and,

Mr. Drew moved to postpone the further consideration of the bill indefinitely.

And the Ayes and Nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Gray, Harrison, Polke and Slaughter—9.

Mr. Gregory voted in the negative.

And so the bill was indefinitely postponed.

On motion,

Ordered, That the senate adjourn until half past eight o'clock to-morrow morning.

And the senate adjourned.

Saturday Morning, January 6, 1821.

Senate assembled pursuant to adjournment.

A message from the house of representatives by Mr. Merrell, a member :

Mr. President—The Speaker of the house of representatives having signed the following enrolled bills, entitled acts, I am instructed to lay the same before the senate for the signature of their President, viz :

An act supplementary to an act, entitled an act subjecting real and personal estates to execution, approved January 7th, 1820.

An act providing a summary mode of collecting debts in certain cases.

And a joint resolution for the benefit of Harbin H. Moore and for other purposes ; and he withdrew.

The President having signed the same, they were severally handed to the committee for enrolled bills, to be laid before the governor for his approval and signature.

Mr. Drew, from the committee, reported that they did on this day present to the governor for his approval and signature, the following enrolled bills, entitled acts, viz :

An act supplementary to an act, entitled an act subjecting real and personal estates to execution, approved January 7th, 1818.

And an act providing a summary mode of collecting debts in certain cases.

The engrossed bill from the house of representatives, entitled an act locating certain roads therein named, approved January 22d, 1820, was read the third time, and,

Resolved, That the bill pass.

Ordered, That Mr. Slaughter inform the house of representatives thereof.

On motion,

The committee of the whole on the engrossed bill from the house of representatives, entitled an act to provide for the erection of a house for the employment and support of the poor of Knox county, were discharged from the further consideration thereof.

The bill was amended in some particulars, and read the third time by consent.

Resolved, that the bill pass as amended.

Ordered, that Mr. Polke inform the house of representatives thereof and request their concurrence in the amendments.

Mr. Drew, from the committee, reported that they had compared and found duly enrolled, the engrossed bill, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government.

A message from the house of representatives by Mr. Merrell, a member :

Mr. President—The Speaker of the house of representatives having signed an enrolled bill, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government, I am instructed to lay the same before the senate for the signature of their President; and he withdrew.

The President having signed the same, it was handed to the committee for enrolled bills, to be laid before the governor for his approval and signature.

Mr. Drew, from the committee, reported that they did on this day present to his excellency the governor for his approval and signature the said last mentioned bill.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—His Excellency the Governor has announced to the house of representatives, by W. H. Lilly, Esq. that he did on this day approve and sign an act, entitled an act appointing commissioners to lay off a town on the site selected for the permanent seat of government; and he withdrew.

Mr. Slaughter, from the committee, reported that they did on yesterday, present to the governor for his approval and signature an enrolled bill, entitled an act amendatory to an act to license and regulate taverns.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have concurred in the amendments made by the senate to the bill from the house of representatives, to provide for the erection of a house of employment and support of the poor of Knox county ; and he withdrew.

A message from the governor by W. H. Lilly, Esq. Announcing that the governor did on this day, approve and sign an act supplementary to an act, entitled an act subjecting real and personal estates to execution, approved January 7th, 1818 ; also, an act providing a summary mode of collecting debts in certain cases.

A message from the House of Representatives by Mr. Milroy, a member.

Mr. President—The house of representatives have adopted the following resolution, to wit :

Resolved, that the election for commissioners to lay out a town on the permanent seat of government, and the agent for the same ; as also the election for directors on the part of the state bank of Indiana, be conducted as is prescribed by the second section of the act, entitled “ an act to provide for the election of senators and representatives from this state to the Congress of the United States ;” and that but one commissioner be ballotted for at once ; and that the senate be informed thereof and requested to adopt a similar resolution ; and that the house of representatives have appointed Mr. Milroy teller on their part to conduct said election—and he withdrew.

On motion by Mr. Polke,

Resolved, that the resolution be adopted.

Ordered, that Mr. Harrison inform the house of representatives thereof.

A message from the house of representatives by Mr. Thornton, assistant clerk,

Mr. President—The house of representatives are now ready to receive the senate in the representative.

chamber for the purpose of proceeding to the election of three commissioners, to lay off a town on the site selected for the permanent seat of government, and one agent for the state, also three directors for the state bank of Indiana on the part of the state,

The senate accordingly retired to the representatives chamber to elect the before mentioned officers, and after having performed that duty, returned to their chamber.

On motion,

Ordered, That the senate adjourn until this afternoon two o'clock. And the senate adjourned.

Saturday Afternoon two o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter from the committee reported that they had compared and found duly enrolled,

An act for the relief of Thomas McCartney, David Harman and Peter Weaver.

An act to repeal the fourth section of an act to amend an act to regulate marriages and for other purposes, approved January 3, 1820, and for other purposes—and,

An act legalizing the board of county commissioners of the county of Vigo and for other purposes.

The engrossed bill amendatory to an act prescribing the mode of changing the venue in certain cases was read the third time to-day.

Resolved. That the bill pass and that the title thereof be an act amendatory to an act prescribing the mode of changing the venue in certain cases approved December 31, 1818.

Ordered, That Mr. Harrison inform the house of representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Tipton, a member,

Mr. President—The house of representatives have passed an engrossed bill entitled :

An act divorcing Margaret M'Gee, late Margaret Thompson from her husband Crawford M'Gee, which originated in the senate without amendment.

They have also passed an engrossed bill entitled :

An act to amend the act locating certain permanent roads therein named, which originated in the house of representatives, in which last mentioned bill they request the concurrence of the senate ; and he withdrew.

On motion,

Ordered, That the consideration of the bill be postponed until Saturday next.

A message from the house of representatives by Mr. Thornton, assistant clerk.

Mr. President—The house of representatives have passed an engrossed bill appointing commissioners to re-locate the seat of justice of Crawford county, in which they request the concurrence of the senate ; and he withdrew.

The bill was read the first time.

On motion,

Ordered, That the bill pass to a second reading on Monday next.

Mr. Drew from the committee reported that they had compared and found duly enrolled the following bills, entitled acts :

An act to amend the act entitled an act to prevent certain immoral practices, approved January 3, 1817.

An act making appropriations for the year one thousand eight hundred and twenty-one.

An act providing for running and marking the line dividing the states of Indiana and Illinois.

An act to amend the act entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools and meeting-houses, approved January 1, 1820.

An act to amend the act entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 23, 1818—also,

An engrossed joint resolution for the relief of Elijah Fisher late sheriff of Wayne county.

An engrossed joint resolution authorizing the treasurer of state to dispose of certain bank notes, and

A memorial to Congress on the subject of the great national road—also,

A joint resolution of the General Assembly of the state of Indiana to promote education—and

An act for the relief of Henry Ayres.

An act attaching part of the county of Clark to the county of Floyd—and,

An act for the formation of a new county out of the counties of Jackson and Delaware.

A message from the house of representatives by Mr. Ross a member ;

Mr. President—The speaker of the house of representatives having signed,

An act for the formation of a new county out of the counties of Jackson and Delaware.

An act to amend the act entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28, 1818.

An act for the relief Thomas McCartney, David Harman and Peter Weaver.

An act to repeal the fourth section of an act to amend an act to regulate marriages and for other purposes, approved January 3, 1820—and,

A joint resolution authorising the treasurer of state to dispose of certain bank notes—I am instructed to lay the same before the senate for the signature of their president ; and he withdrew.

A message from the house of representatives by Mr. Merrell, a member ;

Mr. President—The speaker of the house of representatives having signed ;

A joint resolution for the relief of Elijah Fisher late sheriff of Wayne county.

An act making appropriations for the year one thousand eight hundred and twenty one.

An act providing for running and marking the line dividing the states of Indiana and Illinois.

An act to amend the act entitled an act to prevent certain immoral practices, approved January 3, 1817.

An act to amend the act entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses, approved January 1, 1820 ; and,

A memorial of the General Assembly of the state of Indiana to Congress on the subject of the great national road ; I am instructed to lay the same before the senate for the signature of their president ; and he withdrew.

The president having signed the acts and joint resolutions last reported as signed by the speaker of the house of representatives in the messages of Mr. Ross and Mr. Merrell, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature ; and

Mr. Drew from the committee reported that they did on this day present the same to the Governor for his approval and signature.

Mr. Harrison from the joint committee to whom the subject was referred, submitted the following report, viz :

The joint committee on the subject of the circulating medium to whom was referred the resolution of the General Assembly, instructing your committee to call on the chief executive of state, for certain information therein contained, relative to the situation of the different banks within this state, have performed the duty required of them, by laying the resolution referred to them before his Excellency the Governor.

The documents herewith submitted, marked A, B, C and D will more fully develop the subject referred to your committee. The document marked A is a communication from his Excellency the Governor to your

committee on the subject submitted by them. The document marked B is a communication from the cashier of the Corydon branch bank to his Excellency the Governor on the subject of the affairs of that institution.— The document marked C, and numbered from I to VII contains the report of the Corydon branch bank, as also sundry communications from the cashier of the state bank of Indiana, and agent of the Steam Mill Company, together with the proceedings of the board of directors of said branch bank on the 27th of April and 23rd of September last. The document marked D, is a copy of the by-laws and regulations of said branch bank at Corydon. All of which documents will in the opinion of your committee fully and satisfactorily develop the situation of the Corydon branch bank.

All of which is respectfully submitted.

E. HARRISON,

*Chairman of the committee,
on the part of the Senate.*

On motion,

The communication and documents above referred to were read ; as also a communication from D. C. Lane, president of the Corydon branch bank on the same subject.

On motion by Mr. Harrison;

Resolved, That two hundred copies of the report of the joint committee on the subject above reported, together with the resolution under which said committee acted, and the accompanying documents be printed in pamphlet form, and equally distributed by the public printer, amongst the members of the present General Assembly, whose duty it shall be to distribute in their respective counties.

On motion,

Ordered, That the senate adjourn until 6 o'clock this evening.

And the senate adjourned.

Saturday Evening six o'clock.

Senate assembled pursuant to adjournment.

A message from the house of representatives by Mr. Merrell, a member ;

Mr. President—The speaker of the house of representatives having signed :

An act attaching part of Clark county to the county of Floyd.

A joint resolution of the General Assembly to promote education ; and,

An act for the relief of Henry Ayres ; I am instructed to lay the same before the senate for the signature of their president ; and he withdrew.

The president having signed the same they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

Mr. Harrison from the committee on military affairs, to whom was referred the petition of sundry officers of the Wayne county militia, reported, that in the opinion of the committee the prayer of the petitioners is unreasonable and ought not to be granted.

On motion,

Resolved, That the report be concurred in.

A message from the house of representatives by Mr. Thornton, assistant clerk ;

Mr. President—The house of representatives have passed an engrossed bill entitled an act providing for the issuing of treasury notes, in which they request the concurrence of the senate ; and he withdrew.

The said bill was read twice by unanimous consent—and,

Mr. Harrison moved to postpone the further consideration of the bill indefinitely.

And the yeas and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Drew, Cotton, and Harrison—3.

Those who voted it the negative were,

Messrs. Baird, Bartholomew, Gregory, Gray, Polke and Slaughter—6.

And so the motion was negatived.

On motion,

Ordered, That the bill be committed to a committee of the whole and made the order of this evening; and,

The senate according to order resolved themselves into a committee of the whole on the bill last mentioned Mr. Slaughter in the chair, and after some time spent therein, the committee rose, Mr. President resumed the chair and reported the bill to the senate with an amendment by striking it out from its enacting clause.

Monday Morning, January 8, 1821.

Senate assembled pursuant to adjournment.

This day his honor Ratliff Boon, president of the senate, having obtained leave of absence for the remainder of the session, William Polke Esq. president pro tempore took the chair.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have passed an engrossed bill entitled, an act for the formation of a new county north of the county of Vigo in which they request the concurrence of the senate; and he withdrew.

The bill was read twice, and

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of the day for to-morrow.

Mr. Harrison obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana on the subject of notes negotiable and payable in banks, which was read, and

Mr. Drew moved to postpone the farther consideration thereof indefinitely, which motion was carried.

On motion,

The engrossed bill from the house of representatives, entitled an act to provide for the issuing of treasury notes, was taken up. and,

Mr. Harrison moved to concur in the amendment made in committee of the whole, which was negatived.

Mr. Harrisom moved to strike the bill out from its enacting clause, which motion was negatived.

Mr. Cotton moved to amend the bill by striking out of the fifth section of the same, the words "and for all lots or lands by authority of the same."

And the yeas and nays being demanded,

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Drew and Harrison—4.

Those who voted in the negative were,

Messrs. Baird, Gray, Gregory and Slaughter—4.

The president voted in the negative, and so the amendment was rejected.

Mr. Cotton moved further to amend the bill by adding the following to the section viz :

Provided that nothing in this act shall be construed as to authorise the agent of the state seminary to receive treasury notes in payment for debts, due on account of the sale of the seminary lots.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Cotton, Drew, Gray, Harrison and Slaughter—6.

Those who voted in the negative were,

Messrs. Bird and Gregory—2.

And so the amendment was adopted.

On motion by Mr. Harrison,

The bill was amended in the 2d section by striking

out, Governor, and insert treasurer of state; and insert auditor of public accounts.

On motion,

The bill was read the third time now.

Resolved, that the bill pass.

The yeas and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Gray, Gregory and Slaughter—5.

Those who voted in the negative were,

Messrs. Cotton, Drew, and Harrison—3.

Ordered, That Mr. Baird inform the house of representatives thereof, and request their concurrence therein.

A message from the house of representatives by Mr. Tipton, a member;

Mr. President—The house of representatives have passed an engrossed bill entitled, an act to repeal an act vacating part of Lanesville, in which they request the concurrence of the senate; and he withdrew.

The bill was read three times by unanimous consent—and,

Resolved, that the same pass.

Ordered, that Mr. Slaughter inform the house of representatives thereof.

Mr. Slaughter from the committee, reported that they had compared and found duly enrolled,

An act for the relief of the administrators of the estate of John McMurty deceased and Tubby Bloyd.

An act incorporating New Albany school, and

A joint resolution on the subject of postage.

A message from the house of Representatives by Mr. Ross a member,

Announcing that the Speaker of the house of representatives, had signed the said bills and resolutions, and requesting the signature of their president.

The presiden having signed the said bills and reso-

lution, they were handed to the committee for enrolled bills to be presented to the governor for his approval & signature.

A message from the house of representatives by Mr. Thornton, assistant clerk.

Mr. President—His excellency the governor has announced to the house of representatives by W. H. Lilly Esq. that he has approved and signed the following acts and resolutions, to wit:

An act legalizing the board of county commissioners of the county of Vigo and for other purposes.

An act to repeal the fourth section of an act entitled an act to regulate marriages and for other purposes, approved January 3, 1820.

An act to amend the act entitled an act to prevent certain immoral practices, approved January 3, 1817.

An act for the relief of Thomas M'Cartney, David Harman and Peter Weaver.

An act to amend the act entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses; approved January 1, 1820.

An act making appropriations for the year one thousand eight hundred and twenty one.

A joint resolution authorising the Treasurer of State, to dispose of certain bank notes.

A memorial of the General Assembly of the State of Indiana to Congress on the subject of the great National road.

All of which originated in the house of representatives.

They have also passed an engrossed bill entitled an act fixing the times of holding courts in this state, and for other purposes, which originated in the Senate, with sundry amendments.

And a joint resolution relative to banks, which originated in the house of representatives, in which a

amendments and resolution they request the concurrence of the senate; and he withdrew.

A message from the governor by W. H. Lilly esq.

Mr. Presiden—The governor did on this day approve and sign

An act providing for running and marking the line dividing the states of Indiana and Illinois, also

A joint resolution for the relief of Elijah Fisher, late sheriff of Wayne county, both of which originated in the senate.

The engrossed bill from the house of representatives, entitled an act appointing commissioners to relocate the seat of justice of Crawford county, was read a second time to-day, and

On motion,

Ordered, That the bill be read a third time on Saturday next.

On motion,

The senate proceeded to consider the amendments made by the house of representatives to the engrossed bill from the senate, entitled an act fixing the times of holding courts in the several circuits in this state and for other purposes.

On motion,

Ordered, that the senate adjourn until this afternoon two o'clock.

And the senate adjourned.

Monday Afternoon, two o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter, from the committee, reported that they had compared and found duly enrolled;

An act subjecting bank notes refused to be redeemed with specie on demand to interest.

An act relative to the office of secretary of state.

And an act divorcing Margaret McGee, late Mar-

garet Thompson from her husband Crawford McGee.

Also, a memorial to Congress in behalf of the citizens of the counties of Knox, Daviess, Pike and Gibson.

A message from the house of representatives by Mr. Ross, a member :

Announcing that the Speaker of the house of representatives had signed the bills and memorial last reported duly enrolled, and requesting the signature of the President thereto.

The President having signed the same, they were severally handed to the committee for enrolled bills, to be presented to the governor for his approval and signature.

Mr. Slaughter, from the committee, reported that they did on this day present to the Governor for his approval and signature,

An act for the formation of a new county out of the counties of Jackson and Delaware.

An act relative to the office of secretary of state.

An act for the relief of the administrators of the estate of John Mcmurtry deceased and Tubby Bloyd.

An act incorporating New-Albany shool.

An act divorcing Margaret McGee, late Margaret Thompson, from her husband Crawford McGee.

An act subjecting bank notes refused to be redeemed with specie on demand to interest

And a joint resolution on the subject of postage.

On motion,

The amendments made by the house of representatives to the engrossed bill from the senate, entitled an act fixing the times of holding courts in the several circuits in this state, were now again considered—and,

On motion,

Resolved, That the amendments be concurred in.

Ordered, That Mr. Drew inform the house of representatives thereof.

On motion,

Ordered, That messrs. Cotton, Drew, Gray and

Harrison have leave of absence after to morrow for the remainder of the session.

A message from the house of Representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have concurred in the amendments made by the senate to the engrossed bill from the house of representatives entitled an act authorizing the issuing of treasury notes ; and he withdrew.

On motion,

Ordered, That the further consideration of the bill from the house of representatives, entitled an act for the formation of a new county north of Vigo county be postponed until the first Monday of December next.

Mr. Slaughter, from the committee, reported that they had compared and found duly enrolled a joint resolution relative to banks, and an act to repeal an act vacating a part of Lanesville.

Mr. Drew obtained leave to introduce a bill supplementary to an act passed at the present session, for the formation of a new county out of the counties of Jackson and Delaware, which was read three times by unanimous consent.

Resolved, That the bill pass, and that the title thereof be an act supplementary to an act passed at the present session, for the formation of a new county out of the counties of Jackson and Delaware.

Ordered, That Mr. Drew inform the house of representatives thereof.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed,

An act to repeal an act, entitled an act vacating part of the town of Lanesville, approved Jan. 18, 1820.

And a joint resolution relative to banks; I am instructed to lay the same before the senate for the signature of their President ; and he withdrew.

The President having signed the same they were handed to the committee for enrolled bills to be presented to the governor for his approval and signature.

Mr. Harrison obtained leave to introduce a joint resolution authorizing the secretary of state to make certain repairs in the state house for the accommodation of the ensuing General Assembly, which was read twice by consent—and,

On motion,

Ordered, that the same be engrossed for a third reading now.

The resolution having been read a third time,

Resolved, that the same be adopted.

Ordered, that Mr. Harrison inform the house of representatives thereof, and request their concurrence therein.

A message from the governor by W. H. Lilly, Esq. Announcing that he did on this day approve and sign,

An act divorcing Margaret McGee from her husband Crawford McGee.

And an act relative to the office of secretary of state, both of which originated in the senate.

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The house of representatives have passed an engrossed bill which originated in the senate, entitled an act for incorporating the Indiana Cotton Manufacturing Company, in New Albany, without amendment; and the Speaker of the house of representatives having signed a memorial to Congress in behalf of the citizens of the counties of Knox, Daviess, Pike and Gibson, I am instructed to lay the same before the senate for the signature of their President.

The President having signed the said memorial,

Resolved, That the secretary of state be directed to transmit a copy of the said memorial to Congress in behalf of the counties of Knox, Daviess, Pike and Gib.

son, to our representative and each of our senators in Congress.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—His Excellency the Governor has announced to the house of representatives, by W. H. Lilly, Esq. his private secretary, that he did on this day approve and sign the following acts, to wit :

An act for the formation of a new county out of the counties of Jackson and Delaware.

An act incorporating New-Albany school.

An act for the relief of the administrators of the estate of John McMurdy deceased and Tubby Bloyd.

An act subjecting bank notes refused to be redeemed with specie on demand to interest—also,

A joint resolution on the subject of postage ; all of which originated in the house of representatives.

They have also passed an engrossed bill from the senate entitled an act to provide for printing and distributing the laws and journals of the present General Assembly, with an amendment.

And an engrossed bill from the senate, entitled an act, supplementary to an act passed at the present session for the formation of a new county out of the counties of Jackson and Delaware, with amendments.

They have also passed an engrossed bill which originated in the house of representatives, entitled an act to reduce into one all acts heretofore in force in this state regulating grist mills and millers ; in which they request the concurrence of the senate ; and he withdrew.

On motion,

The senate proceeded to consider the amendments made by the house of representatives to the engrossed bill, entitled an act supplementary to an act passed at the present session for the formation of a new county out of the counties of Jackson and Delaware—and,

On motion,

Resolved. That the amendments be concurred in.

Ordered. That Mr. Drew inform the house of representatives thereof.

On motion,

The senate proceeded to consider the amendment made by the house of representatives to the engrossed bill from the senate, entitled an act to provide for printing and distributing the laws and journals of the present General Assembly—and,

On motion,

Resolved, That the amendment be concurred in.

Ordered, That Mr. Drew inform the house of representatives thereof.

On motion by Mr. Cotton,

Ordered, That the engrossed bill from the house of representatives, entitled an act to reduce into one all acts heretofore in force in this state, regulating grist mills and millers, be read the first time on Saturday next.

On motion,

Ordered, That the senate adjourn until six o'clock this evening.

And the senate adjourned.

Monday Evening. six o'clock.

Senate assembled pursuant to adjournment.

Mr. Harrison, from the committee to whom was referred the communication of his excellency the governor in relation to the demand by him of the acting governor of Kentucky, of certain fugitives from the justice of this state, submitted the following

REPORT—to wit:

Your committee, to whom was referred the communication of his excellency the governor, together with the accompanying documents from the legislature of Kentucky, in relation to the demand made by him of the

acting governor of Kentucky of certain fugitives from the justice of this state, have had the subject referred to them under consideration, and respectfully submit the following report, to wit :

From the papers before your committee, it appears that Robert Stevens, a member of the Kentucky Legislature and others, having been indicted at the November term of the Harrison circuit court, in 1818, for the crime of man-stealing, were demanded of the acting governor of Kentucky, as fugitives from the justice of this state, and that the legislature of Kentucky, on being informed of the demand made, did, by their resolution, refuse to surrender the said Stevens, and his surrender was likewise refused by the acting governor. The points principally relied upon by the legislature of Kentucky, in their refusal to deliver up Mr. Stevens, is that the law of Indiana for the violation of which he had been indicted is inconsistent with the Constitution of the United States. The indictment amongst other things, charges Stevens and others with having forcibly and feloniously arrested Susan, a woman of color, with a design to take her the said Susan out of this state, (to wit : Indiana, without having first established the claim of them the said Stevens and others according to the laws of this state or of the United States. To prove the unconstitutionality of the law under which this indictment was found, a clause of the 2d section of the 4th article of the constitution of the United States is referred to, which is as follows :

No person held to service or labour in one state under the laws thereof, escaping into another state shall in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered on claim of the party to whom such service or labour may be due. From this clause a conclusion is drawn that Congress have the sole power to regulate the mode of claiming persons owing service or labour in one state and escaping to another, and of punishing all

abuses that may arise from improper claims. But your committee cannot admit the justness of the above conclusion. They would infer that as states are only prohibited from discharging the obligation to serve, that this single prohibition implies that any other regulation of the subject might be made, at the discretion of the several states, and if further proof be wanted that no more was intended, than to prohibit one state from emancipating the slaves of another, it may be found in the 10th article amendatory to the constitution of the United States, which provides that the powers not delegated to the United States, by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people. The law of the United States respecting persons escaping from their masters affixes no penalty for abuses that arise under it, and though it is said that the courts of Kentucky will remunerate him, who may be illegally seized and brought thither without a just cause, yet those courts cannot punish criminally, offences committed in another state, nor can it be admitted for a moment, that those states alone where slavery is tolerated, are to prohibit and punish manstealing and to try the right of freedom where it is disputed. Though the law of Congress provides that Judges and Justices of the peace in certain cases, may give a certificate, by which a fugitive owing service or labour, may be recovered ; yet this law, so far as it imposes duties on state officers, is not binding ; for if such were the case, they might in time be altogether perverted from what our constitution intended. If therefore, the constitution of the United States, requiring the person owing service or labor to be delivered up on the claim of the party to whom the service or labor is due, is to effect state officers, state laws ought then to be made. No claim can be recognized, nor delivery made, unless by a competent court. If no state law on the subject be made, our courts have nothing to guide them in aiding a claim guaranteed by the constitution of the United

States. As, therefore, Congress have not provided that abuses under this law should be punished, and from the small number of United States' judges who are authorised to act, much inconvenience would arise, it became both the right and the duty of our state to pass some law on the subject ; and though our statute may not please the unfortunate slave holder in every respect yet, so far is it from discharging from service and labor that it provides that state officers shall aid the restoration of fugitives from labor, to the claimant ; that as speedy a decision should be had as in questions of far less consequence than freedom, and that a penalty should be imposed upon those who, unauthorised either by the laws of the United States or of this state, commit violence on others, who, by our constitution, are presumed to be free.

Your committee cannot but view with regret the course that has been pursued by our sister state, and which if persisted in, may be attended with the most fearful consequences. If the violators of our laws find protection in another state, and the wise provisions of the constitution of the U. S. that fugitives from justice shall be surrendered, are disregarded then, indeed, we may predict a speedy dissolution of those bonds, under which we have hitherto acted as members of one family—when our rights are again invaded force may be repelled with force.

That such expedients may not be adopted, is ardently to be desired; but they are to be feared when alleged crimes find means to avoid judicial investigation. If any of the laws of Indiana are unconstitutional, and if any of the persons indicted in our courts are innocent, ought it not to appear from some other authority than the legislature of Kentucky, which, by its own constitution, is prohibited from exercising judiciary powers?

Your committee considering that the constitutionality of the law which Mr. Stevens is accused of violating,

cannot be doubted, forbear to remark on some other arguments brought forward by the Kentucky legislature, which relate to the policy of the law for which we are not accountable to them.

Your committee beg leave to offer the following resolutions:

Resolved, That his excellency the gov. of this state be requested to communicate to the President of the U. States or to Congress his proceedings on the foregoing subject, and adopt such measures and enter into such negotiations as he may deem most for the honor and dignity of the state.

Resolved, That his Excellency the governor is entitled to the thanks of this house on behalf of their constituents for the dignified course pursued by him on behalf of the state, in endeavoring to enforce the provisions of its laws.

E. HARRISON, Ch'm Com.

On motion,

Resolved. That the secretary of senate be authorised to employ such assistant clerks as he may deem necessary during the remainder of the present session.

A message from the house of representatives by Mr.

Thornton, assistant clerk.

Mr. President—The house of representatives have passed a joint resolution of the General Assembly of the state of Indiana, directing the secretary of state to cause certain repairs to be made to the state house, for the accommodation of the ensuing General Assembly with sundry amendments.

They have also passed an engrossed bill, entitled an act authorising the building of a prison at Jeffersonville and for other purposes, in which bill and amendment, they request the concurrence of the senate; and he withdrew.

The said last mentioned bill was read twice on motion, and,

Mr. Gregory moved to amend the bill by striking out the 11th section thereof.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Baird and Gregory—2.

Those who voted in the negative were,
Messrs. Bartholomew, Cotton, Drew, Gray, Harrison and Slaughter—6.

And so the motion was negatived.

On motion,

And by concurrence of two thirds of the members the bill was read a third time, and,

Resolved, That the bill pass.

The yeas and nays being demanded by two members :

Those who voted in the affirmative were,
Messrs. Bartholomew, Cotton, Drew Harrison and Slaughter—5.

Those who voted in the negative were,
Messrs. Baird, Gray, and Gregory—3.

Ordered, That Mr. Bartholomew inform the house of representatives thereof.

A message from the house of representatives by Mr. Milroy, a member :

Mr. President—The house of representatives have passed an en-rossed bill entitled an act authorising an injunction to issue in certain cases, in which they request the concurrence of the senate ; and he withdrew.

The bill was read twice by consent.

On motion by Mr. Cotton,

The bill was amended by striking it out from its enacting clause, and

On motion by Mr. Drew,

Ordered, That the bill be indefinitely postponed.

On motion,

The amendments made by the house of representa-

tives to the joint resolution of the General Assembly of the state of Indiana, directing the secretary of state to cause certain repairs to be made to the state-house for the accommodation of the ensuing General Assembly, were concurred in.

Ordered, that Mr. Harrison inform the house of representatives thereof.

On motion,

The senate reconsidered their vote postponing the first reading of the engrossed bill from the house of representatives entitled an act to reduce into one all acts heretofore in force in this state, regulating grist mills and millers.

And the bill was read the first time.

On motion,

Ordered, That the further consideration thereof be indefinitely postponed.

The yeas and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Baird, Cotton, Drew, Gregory and Mr. President—5.

Those who voted in the negative were,

Messrs. Bartholomew, Gray, Harrison and Slaughter—4.

And so the bill was indefinitely postponed.

On motion,

The senate reconsidered their vote given on the third reading of the engrossed bill entitled an act appointing commissioners to relocate the seat of justice of Crawford county, and,

Mr. Drew moved to postpone the further consideration of the bill indefinitely. which motion carried.

And so the bill was indefinitely postponed.

Mr. Slaughter from the committee reported that they had compared and found duly enrolled, "an act authorizing the issuing of treasury notes."

A message from the house of representatives by Mr. Ross, a member :

Mr. President—The Speaker of the house of representatives having signed :

An act authorising the issuing of treasury notes—I am instructed to lay the same before the senate for the signature of their president ; and he withdrew.

The president having signed the same it was handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the house of representatives by Mr. Tipton a member :

Mr. President—The house of representatives have passed an engrossed bill entitled, an act for the relief of the heirs of Thomas Berry deceased and William H. S. Branham, a minor, in which they request the concurrence of the senate ; and he withdrew.

The bill was read, and

Ordered, That the bill lie on the table.

A message from the house of representatives by Mr. Battell, a member :

Mr. President—The house of representatives have passed an engrossed bill entitled an act defining the duties of collectors and sheriffs in certain cases, and for other purposes, in which they request the concurrence of the senate ; and he withdrew.

The bill was read, and amended by consent in some particulars.

Mr. Cotton moved to postpone the further consideration of the bill indefinitely which was decided in the affirmative.

A message from the house of representatives by Mr. Chambers, a member :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act to authorise the agent or trustees of the state seminary to loan the money in their possession on interest in which they request the concurrence of the senate ; and he withdrew.

The said bill was read three times by consent, and
Resolved. That the bill pass.

Ordered, that Mr. Gregory inform the house of representatives thereof.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have passed an engrossed bill entitled an act making specific appropriations, in which they request the concurrence of the senate : and he withdrew.

The bill was read,

On motion,

Ordered, That the bill be committed to a committee of the whole house and made the order of this evening, and—

The senate according to order resolved themselves into a committee of the whole, Mr. Baird in the chair, and after some time spent therein, the committee rose, *Mr. President* resumed the chair and reported the bill to the senate, with sundry amendments—and,

Mr. Drew called for a division by considering each amendment separately.

The first amendment was by striking out of the first section, the item which appropriates two hundred dollars for defraying the expenses of the governor, in investigating the situation of the banks.

And the yeas and nays being demanded by two members :

Those who voted in the affirmative were,

Messrs. Baird, Cotton, Gray, Gregory and Slaughter—5.

Those who voted in the negative were,

Messrs. Bartholomew, Drew and Harrison—3.

And so the first amendment was concurred in.

Mr. Drew moved further to amend the bill by inserting, one, in the said item and re insert the residue of what was before stricken out—and.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Drew, Harrison and Slaughter—5.

Those who voted in the negative were,

Messrs. Cotton, Gray and Gregory—3.

And so the amendment was concurred in. The other amendments were concurred in, and the bill was read the third time by consent.

Resolved, That the bill pass as amended.

Ordered, that Mr. Harrison inform the house of representatives thereof, and request their concurrence in the amendments.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Announcing that they had concurred in all the amendments made to the said bill by the senate.

A message from the house of representatives by Mr. Thornton assistant clerk :

Mr. President—The house of representatives have passed an engrossed bill from the house of representatives entitled an act to amend the act, entitled an act to reduce into one all acts and parts of acts relative to crimes and punishment, in which they request the concurrence of the senate ; and he withdrew.

The bill was read, and

On motion,

Ordered, That the bill pass to a second reading on to-morrow.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act to repeal the charters of all banks that refuse to redeem their notes in specie, in which they request the concurrence of the senate ; and he withdrew.

The bill was read—and,

On motion,

Ordered, That the further consideration thereof be indefinitely postponed.

A message from the house of representatives by Mr. Merrell, a member :

Mr. President—The Speaker of the house of representatives having signed articles of accusation and impeachment against Curtis Gilbert, clerk of the circuit court of Vigo county, preferred by the house of representatives to the senate, I am instructed to lay them before the senate, and to inform them that the house of representatives demand of them justice and a day to be set for the trial of the said impeachment; and that the house of representatives have appointed Messrs.

managers on their part, to prosecute the said impeachment ; and he withdrew.

The said articles of impeachment were read, and are as follows, viz :

ARTICLES of Accusation and Impeachment against Curtis Gilbert, Clerk of the circuit court of Vigo county, state of Indiana, preferred by the house of representatives of said state, and exhibited to the senate.

ARTICLE I.

That the said Curtis Gilbert, clerk of Vigo circuit court, has been and is guilty of gross and wilful negligence in the discharge of his official duty.

SPECIFICATION I.

That some time in the year one thousand eight hundred and nineteen, Ebenezer Wilson, of the firm of Wilson and Peacock, did, as well in his own proper person, as by his legal attorney, apply to the said Curtis Gilbert, clerk as aforesaid, for a writ of *fieri facias* on a judgment then standing on the records of the said circuit court in favor of the said Wilson and Peacock

against one Robert Brasher, which judgment was wholly unpaid and unsatisfied, and the legal replevin thereon had expired; the said Curtis Gilbert, clerk as aforesaid, did without any just or legal cause wilfully neglect and refuse to issue the said writ of execution.

SPECIFICATION II.

That in the month of September, A. D. 1820, Nathaniel Huntington, an attorney in the circuit court of the said county of Vigo, filed a declaration in an action of trespass *vi et armis*, wherein John Britton was plaintiff and Francis White defendant, on the back of which declaration was a description of the action, and the said Curtis Gilbert, clerk as aforesaid, was thereon directed to issue a *capias*, and the legal tax on the said writ then and there offered and tendered to him the said Gilbert; but without any legal or just cause he the said Curtis Gilbert, clerk as aforesaid, refused to issue the said writ.

SPECIFICATION III.

That on or about the fifteenth day of September, one thousand eight hundred and twenty, John Britton, a citizen of the said county of Vigo, did present to the said Curtis Gilbert in his office a writ called a *precipe* duly made according to law, and signed by Nathaniel Huntington, the said Britton's attorney, requesting and directing the said Gilbert, clerk as aforesaid, to issue a *capias* in favor of John Britton, plaintiff, against Peter Allen, defendant, in which *precipe* the action was duly described, and at which time and place the said John Britton did offer the said Curtis Gilbert, clerk as aforesaid, fifty cents in specie, the legal tax on the said writ, and did at that time and at various other times, before and afterwards, as well in person as by his said attorney, tender to the said Gilbert, in specie, his legal fees

for issuing and filing the said writ and all his legal fees which might accrue in the progress of the case from the commencement to its final termination ; yet the said Curtis Gilbert, clerk as aforesaid, at the above mentioned times and at all times, wilfully refused to issue the said writ.

SPECIFICATION IV.

That the said Curtis Gilbert, clerk as aforesaid, has in various other instances, since he has been in his said office, not only refused and neglected to issue writs of *capias* and writs of execution, when legally required, but writs of subpœna, particularly in the case of a bill against Moore. and in divers other cases he has neglected and refused to issue process when legally required.

ARTICLE II.

That the said Curtis Gilbert, clerk as aforesaid, has been guilty of manifest corruption and great oppression in his said official capacity, to the injury of many citizens of the said county and state.

SPECIFICATION I.

That the said Curtis Gilbert, clerk as aforesaid, in the case of Vawest against Cressingham, Brown and Campbell, as well as in divers other cases, without any legal order or direction, issued writs of execution within so short a period between the test and return thereof, that he knew the sheriff could not execute the same, in order to enhance the costs and increase his own fees, by the necessity of issuing an *alias* or *plures*, to the great injury and oppression of the above defendants and many other citizens.

SPECIFICATION II.

The said Curtis Gilbert, clerk as aforesaid, did, in the case of Boyles against Olds, and in divers other cases, where the plaintiff in the suit failed, and where judgment was entered against the plaintiff for costs, and after replevin had been entered for the stay of execution by the plaintiff, charge the defendant with all the costs he had made in defending the suit, and issue fee bills and cause to be collected costs of the person or party not liable to pay the same before by law the same could be collected of the person or party liable to pay them.

SPECIFICATION III.

The said Curtis Gilbert has, as clerk aforesaid, in various instances, been guilty of charging persons from whom fees were due illegal, exorbitant and extortionate fees, and collecting or causing the same to be collected; and for services never performed, he has also been guilty of charging and collecting fees.

And the said house of representatives saving to themselves, by protestation, the liberty of exhibiting at any other term, any other accusation or impeachment against the said Curtis Gilbert, clerk as aforesaid, and also of replying to the answer which he the said Curtis Gilbert shall make to the impeachment aforesaid, and of offering proof, the premises and every part of them, or any other accusation or impeachment which shall or may be exhibited as the case may require, do demand that the said Curtis Gilbert, clerk as aforesaid, may be put to answer all and every of the premises, and that such proceedings, examinations, trial and judgment may be had against him as is conformable to the constitution and laws of this state.

And the said house of representatives are ready to

offer proof of the premises at such time as the senate of the said state of Indiana may appoint.

WILLIAM GRAHAM,
Speaker of the house of representatives.

Tuesday Morning, January 9, 1821.

Senate assembled pursuant to adjournment.

Mr. Drew, from the committee, reported that they had compared and found duly enrolled,

An act supplemental to an act locating certain permanent roads therein named and for other purposes, approved January 22, 1820.

A message from the house of representatives by **Mr. Merrell**, a member :

Announcing that the Speaker of the house of representatives had signed the last mentioned bill, and requesting the signature of the President thereto.

The President having signed the same, it was handed to the committee for enrolled bills, to be presented to the Governor for his approval and signature.

Mr. Drew, from the committee, reported that they did on this day present to the Governor for his approval and signature,

An act attaching part of the county of Clark to the county of Floyd.

An act for the relief of Henry Ayres.

An act fixing the times of holding courts in the several circuits in this state and for other purposes.

A joint resolution of the General Assembly of the state of Indiana to promote education.

A joint resolution for the benefit of Harbin H. Moore.

A joint resolution relative to banks.

An act to repeal an act vacating part of the town of Lanesville.

And an act supplemental to an act locating certain

permanent roads therein named and for other purposes, approved January 22, 1820.

On motion by Mr. Drew,

Resolved, That the senate postpone the further consideration of the articles of impeachment preferred by the House of Representatives against Curtis Gilbert, clerk of Vigo county, until the Thursday succeeding the first Monday of December next.

Ordered, That Mr. Drew inform the house of representatives thereof.

The engrossed bill from the House of Representatives, entitled an act to amend the act, entitled an act to reduce into one all acts and parts of acts relative to crimes and punishment, was read a second time to-day—and,

On motion by Mr. Slaughter,

Resolved, That the bill be indefinitely postponed.

On motion,

Ordered, That the engrossed bill for the relief of the heirs of Thomas Berry deceased and William H. S. Branham, a minor, be taken up.

Whereupon,

The bill was read a second time—and,

On motion,

Resolved, That the bill be indefinitely postponed.

A message from the Governor by William H. Lilly, Esq.

Mr. President—The Governor did on this day approve and sign,

An act fixing the times of holding courts in the several circuits in this state and for other purposes.

Also, a joint resolution for the benefit of Harbin H. Moore, and for other purposes; which originated in the senate; and he withdrew.

On motion,

The senate reconsidered their vote on the postponement of the engrossed bill from the House of Represen-

tatives, entitled an act for the formation of a new county north of Vigo county.

And the original motion to postpone was negatived.

The bill was taken up, and amended in some particulars—and,

Resolved, That the bill pass as amended.

Ordered, That Mr. Harrison inform the House of Representatives thereof, and request their concurrence in the amendment.

A message from the house of representatives by Mr. Ferris, a member :

Mr. President—The house of representatives have passed an engrossed bill, entitled an act to provide for the appointment of justices of the peace at Indianapolis, in which they request the concurrence of the senate ; and he withdrew.

The bill was read three times by consent—and,

Resolved. That the bill pass,

Ordered, That Mr. Drew inform the house of representatives thereof.

On motion by Mr. Drew,

Resolved, That the President of the Senate transmit to the President of the senate of the United States and Speaker of the house of representatives thereof, each a copy of the memorial on behalf of the citizens of Gibson, Knox and Daviess counties.

A message from the house of representatives by Mr. Sullivan of Knox, a member :

Mr. President—The house of representatives have concurred in the amendments made to the bill from the house of representatives, entitled an act for the formation of a new county north of Vigo county ; and he withdrew.

A message from the house of representatives by Mr. Thoruton, assistant clerk :

Mr. President—The house of representatives have adopted a joint resolution to preserve the furniture of

the General Assembly, in which they request the concurrence of the senate ; and he withdrew.

The joint resolution was read three times by consent, and.

Resolved, That the same be adopted.

Ordered, That Mr. Drew inform the house of representatives thereof.

Mr. Laughter, from the committee, reported that they had compared and found duly enrolled,

An act supplementary to an act passed at the present session for the formation of a new county out of the counties of Jackson and Delaware.

An act to provide for the printing and distributing the laws and journals of the present General Assembly.

An act making specific appropriations.

An act providing for arrest in certain cases.

A joint resolution of the General Assembly of the state of Indiana, directing certain repairs to be made to the state house for the accommodation of the ensuing General Assembly.

An act authorizing the agent or trustees of the state seminary to loan the money in their possession on interest.

A message from the house of representatives by Mr. Merrell, a member :

Announcing that the speaker of the house of representatives had signed the last mentioned bills and resolution, and requesting the signature of the president thereto.

The president having signed the same, they were severally handed to the committee for enrolled bills to be presented to the governor for his approval and signature ; and,

Mr. Drew from the committee reported that they did on this day present the said several bills and resolutions to the governor for his approval and signature.

A message from the house of representatives by Mr. Wick, their clerk ;

Mr. President—The governor has announced to the house of representatives by W. H. Lilly, esq. that he did on this day approve and sign :

An act authorising the issuing of treasury notes.

An act for the relief of Henry Ayres.

An act attaching part of the county of Clark to the county of Floyd.

An act to repeal an act entitled an act vacating part of the town of Lanesville, approved January 18, 1820.

A joint resolution of the General Assembly of the state of Indiana to promote education ; and

A joint resolution relative to banks ; all of which originated in the senate ; and he withdrew.

On motion,

Ordered, that the senate adjourn until 2 o'clock this afternoon.

And the senate adjourned.

Tuesday Afternoon 2 o'clock.

Senate assembled pursuant to adjournment.

Mr. Slaughter from the committee for enrolled bills, reported that they had compared and found duly enrolled an act to provide for the appointment of justices of the peace at Indianapolis ; an act authorising the building of a state prison at Jeffersonville, and for other purposes ; an act incorporating the Indiana Cotton Manufacturing Company ; an act to provide for the erection of a house for the employment and support of the poor of Knox county ; an act for the formation of a new county north of Vigo county ; a joint resolution to preserve the furniture and stationary of the General Assembly.

A message from the house of representatives by Mr. Merrell, a member :

Announcing that the speaker of the house of representatives had signed the several acts and resolutions, and requesting the signature of the president thereto ; & the president having signed the same ;

Mr. Slaughter from the committee, reported that the committee had presented the said several bills and resolutions to the governor for his approval and signature.

A message from the governor by W. H. Lilly esq.

Mr. President—The governor did on this day approve and sign :

An act incorporating the Indiana Manufacturing Company.

An act supplementary to an act passed at the present session; for the formation of a new county out of the counties of Jackson and Delaware.

An act to provide for printing and distributing the laws and journals of the present General Assembly.

An act to provide for arrest in certain cases ; and

A joint resolution of the General Assembly of the state of Indiana, directing the Secretary of State to cause certain repairs to be made to the state house, for the accommodation of the ensuing General Assembly ; and he withdrew.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Announcing that the Governor did on this day communicate to the house of representatives by W. H. Lilly esq. that he has approved and signed the following acts and resolutions, which originated in the house of representatives to-wit :

An act for the appointment of justices of the peace at Indianapolis.

An act authorising the building of a state prison at Jeffersonville and for other purposes.

An act supplemental to an act locating certain permanent roads therein named, and for other purposes, approved January 22, 1820.

An act making specific appropriations.

An act to authorise the agent or trustees of the state seminary to loan the money in their possession or interest.

An act to provide for the erection of a house for the employment of the poor of Knox county.

An act for the formation of a new county north of Vigo county—and,

A joint resolution to preserve the furniture and stationary of the present General Assembly.

A message from the house of representatives by Mr. Milroy, a member :

Mr. President—The house of representatives have adopted the following resolution viz :

Resolved, that a committee be appointed on the part of this house to act with a similar committee that may be appointed on the part of the senate, to wait on his Excellency the governor, and inform him that the two houses have gone through their business and are about to adjourn ; and to enquire if his Excellency has any further communications to make, and that the senate be informed thereof, and their concurrence requested ; and he withdrew.

On motion,

Resolved, that the senate concur in the above resolution.

Whereupon,

Messrs. Gregory and Gray were appointed a committee on the part of the senate.

Ordered, that the secretary inform the house of representatives thereof.

Mr. Gregory from the joint committee appointed to wait upon his Excellency the governor, and to enquire whether he has any further communications to make, to the present General Assembly, reported that they had performed that duty, and had received for answer, that he had no further communications to make to either house.

A message from the house of representatives by Mr. Thornton, assistant clerk :

Mr. President—The house of representatives have adopted the following resolution to-wit :

Resolved, That the senate be informed that this house has gone through their business and are ready to adjourn *sine die* ; and he withdrew.

On motion,

Resolved, That the house of representatives be informed that the senate have no further business before them and that they are likewise ready to adjourn *sine die*.

Ordered, That Mr. Gregory communicate the above resolution to the house of representatives.

On motion,

Ordered, That the senate adjourn *sine die*.

And the senate adjourned.

JAMES MORRISON,

Secretary of the Senate.

Corydon, Jan. 9, 1821.



APPENDIX.

RECORD

OF THE

Case of the State of Indiana,

Versus

Jacob Broookhart.

STATE OF INDIANA, Ss.

ARTICLES of impeachment against Jacob Brookhart, one of the justices of the peace for Jeffersonville township, in the county of Clark, and state aforesaid, preferred by the house of representatives of said state and exhibited to the senate thereof.

ARTICLE I.

That the said Jacob Brookhart, an acting justice of the peace for Jeffersonville township, in the county of Clark, and state aforesaid (and the said Jacob living and residing within the said township) has been and is guilty of mal-administration in his said office of justice of the peace, to wit, at the county of Clark aforesaid and within the said state.

SPECIFICATION I.

That the said Jacob Brookhart, a justice of the peace as aforesaid, on the fifteenth day of November in the year of our Lord one thousand eight hundred and nineteen, at the county of Clark and within the state aforesaid, while acting as such justice and by virtue of, and under color of his said office, did wilfully, corruptly, and in violation of his duty as such justice, forcibly take, arrest and carry out of this state, a certain man of color, named Isaac Crosby, without first establishing any claim to the said Isaac, under the laws of the state of Indiana, or under the laws of the United States, and without the consent of the said Isaac, against the form of the statute of this state, entitled "an act to prevent manstealing," approved December 30th 1816, and against the peace and dignity of the state of Indiana.

SPECIFICATION II.

That the said Jacob Brookhart, justice of the peace as aforesaid, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and nineteen, at the county of Clark and in the state aforesaid, while acting as such justice, by virtue of, and under color of his said office, did wilfully aid and abet the unlawful and forcible arrest of one Isaac Crosby, a man of color, with a design to take him the said Isaac Crosby from and out of said state, without first establishing any claim to the said Isaac, under the laws of the state of Indiana or according to the laws of the United States, against the consent of the said Isaac, contrary to the form of the statute in such case made and provided, entitled, "an act to prevent manstealing," approved December 30th 1816, and against the peace and dignity of the state of Indiana.

SPECIFICATION III.

That the said Jacob Brookhart, on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and nineteen, at *Charlestown township*, in the county of Clark and state aforesaid, then and still being and acting justice of the peace, for the county of Clark and state aforesaid, and resident in the *Jeffersonville township*, and not having a residence in *Charlestown township*, (according to the provisions of the constitution and laws of the state of Indiana) did on the day and year last aforesaid, knowingly, wilfully and corruptly, and without any proper authority, issue a warrant under his hand, directed to a Mr. Hughes as constable of Jeffersonville townaship, commanding him forthwith to bring one Isaac Crosby (a man of color) before him the said justice, which said warrant was so issued by the said justice contrary to law, he not then being within the township called the "Jeffersonville township," where he the said justice was cormorant and had his residence) and with an intent to aid and abet, the unlawful taking, arresting and carrying out of the state of Indiana, the said Isaac Crosby a man of color, against the will of the said Isaac, without first having established any claim to the said Isaac, and without any other person having first established any claim, to the said Isaac under the laws of the state of Indiana, or under the laws of the United States, in violation of his duty as a justice of the peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

WILLIAM GRAHAM,

Speaker of the House of Representatives.

The State of Indiana, &c.

To *Francis N. Moore*, Sergeant at Arms of the Senate and House of Representatives of the state of Indiana.

Whereas articles of impeachment against Jacob Brookhart one of the justices of the peace for Jeffersonville township, in the county of Clark and state aforesaid, have been preferred by the house of representatives of said state, and exhibited to the senate thereof, you are therefore hereby commanded to summon the said Jacob Brookhart, justice of the peace as aforesaid, to be and appear before the senate, the high court of impeachments of said state in the senate chamber, in the town of Corydon, on Thursday the twenty first day of December, one thousand eight hundred and twenty, to answer the specifications and charges contained in said articles of impeachment, and herein fail not to make legal service and a due return of this precept.

Given under my hand at Corydon, this 15th day of December, 1820.

RATLIFF BOON.

President of the Senate.

STATE OF INDIANA, Ss.

At a high court of impeachment of the state of Indiana begun and held in the senate chamber in Corydon, on Thursday the twenty first day of December, one thousand eight hundred and twenty, the following members of the said court were qualified and took their seats:—The honorable Ratliff Boone, lieutenant governor and president of the senate; Messrs. Baird, Bartholomew, Cotton, Daniel, Drew, Gray, Gregory, Harrison, Polke and Slaughter, senators in and for the state of Indiana: Proclamation being made the court was opened, and the managers on the part of the house of representatives appointed to prosecute articles of impeachment against Jacob Brookhart, preferred by the said house of representatives and exhibited to the senate, appeared in court, and the said Jacob Brookhart being three times solemnly called came not, but made default: Whereupon, on motion by the said managers,

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the case was continued until to-morrow morning ten o'clock. And the court adjourned to that hour.

Friday Morning, ten o'clock.

The court assembled pursuant to adjournment.

Present as of yesterday.

The managers on the part of the house of representatives appeared in court, and say that they will not further prosecute the articles of impeachment aforesaid, Jacob Brookhart having resigned his commission as justice of the peace.

Whereupon,

The court adjourned until to-morrow morning ten o'clock.

Saturday Morning, ten o'clock.

Court assembled pursuant to adjournment.

Present as of yesterday.

Now, at this day, it is considered by the court, that the said Jacob Brookhart go hence without day, and proclamation being made as the manner is, he was discharged.

And the court adjourned without day.

Attest,

JOHN N. DUNBAR,
Assistant Secretary of the Senate.









Wm. D. Burford, Lith. Inds.

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